Publications of the
Carnegie Endowment for International Peace
DIVISION OF INTERNATIONAL LAW
WASHINGTON, D. C.

DEPARTMENT OF STATE

Washington, *December 23, 1914.*

Sir:

I received your letter of the 3d instant, requesting that the Department verify from its official records, the tables of signatures, ratifications, adhesions and reservations to the Conventions and Declarations of the First and Second Hague Conferences, which you enclosed and which you propose to issue as a publication of the Carnegie Endowment for International Peace.

In reply I have to advise you that such verification has been made, and that the enclosed tables as corrected are regarded as accurate and complete, so far as shown by the archives of the Department.

It is desired that the enclosed corrected tables be returned to the Department for the completion of its files, as soon as they have been printed.

I am, sir,

Your obedient servant,

ROBERT LANSING,
*Counselor.*

DR. JAMES BROWN SCOTT,
Director, Division of International Law,
Carnegie Endowment for International Peace,
2 Jackson Place, Washington, D. C.

---

ROYAL LEGATION OF THE NETHERLANDS

Washington, *February 27, 1915.*

My dear Sir:

I have been instructed by the Minister of Foreign Affairs at The Hague to return to you the enclosed Pamphlet No. 3 of the Division of International Law of the Carnegie Endowment for International Peace, and advise you that there was not a single correction or addition to be made in its contents.

Mr. Loudon adds that he should feel very obliged to you if you would send him some more copies of the pamphlet in question and asks me to hand you the enclosed two lists made up by the Royal Department of Foreign Affairs concerning the same subject.

Believe me, dear Mr. Scott,

Yours sincerely,

W. L. F. C. v. RAPPARD,
*Minister from the Netherlands.*

MR. JAMES BROWN SCOTT,
Carnegie Endowment for International Peace.
2 Jackson Place, Washington, D. C.

---

ROYAL LEGATION OF THE NETHERLANDS

Washington, D. C., *7 October 1915.*

Referring to your letter of September 30, 1915, the Royal Netherlands Legation begs to inform you that according to a cable received from the Minister of Foreign Affairs at The Hague no changes have been made in the tables of signatures, adhesions, ratifications, and reservations concerning the Conventions referred to in the above letter, since February 27th last.

To the
Carnegie Endowment for International Peace,
2 Jackson Place, Washington, D. C.

# THE HAGUE CONVENTIONS AND DECLARATIONS OF 1899 AND 1907

ACCOMPANIED BY

## TABLES OF SIGNATURES, RATIFICATIONS AND ADHESIONS OF THE VARIOUS POWERS AND TEXTS OF RESERVATIONS

EDITED BY

JAMES BROWN SCOTT
Director of the Division of International Law of the Carnegie Endowment for International Peace

THIRD EDITION

OCCIDENTAL COLLEGE LIBRARY

NEW YORK
OXFORD UNIVERSITY PRESS
AMERICAN BRANCH: 35 WEST 32ND STREET
LONDON, TORONTO, MELBOURNE, AND BOMBAY
1918

OCCIDENTAL COLLEGE LIBRARY
1600 CAMPUS ROAD
LOS ANGELES, CA 90041

WITHDRAWN OCCIDENTAL COLLEGE LIBRARY

341.1 H147is cop.3
55844

COPYRIGHT 1915
BY THE
CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE,
WASHINGTON, D. C.

COLGATE UNIVERSITY
LIBRARY

THE QUINN & BODEN CO. PRESS
RAHWAY, N. J.

# CONTENTS


| | PAGE |
|---|---|
| PREFACE | iii |
| INTRODUCTION | v |
| DOCUMENTS CHIEFLY RELATING TO THE CALL OF THE CONFERENCES | |
| Russian note proposing the first Conference | xv |
| Russian note proposing the program of the first Conference | xvii |
| Netherland invitation to the first Conference | xix |
| American note of October 21, 1904, regarding the second Conference | xx |
| American note of December 16, 1904, regarding the second Conference | xxiv |
| Russian memorandum of September 13, 1905, proposing the second Conference | xxvii |
| American memorandum of October 12, 1905, in reply | xxvii |
| Russian note proposing the program of the second Conference | xxix |
| Netherland invitation to the second Conference | xxxi |
| Protocol regarding adhesions to 1899 Convention I | xxxii |
| *Procès-verbal* of adhesions of Latin American States | xxxii |
| THE FINAL ACTS OF THE FIRST AND SECOND CONFERENCES | 1 |
| Annex: Draft convention on a judicial arbitration court | 31 |
| Signatures and reservation | 39 |
| CONVENTIONS I OF 1899 AND 1907 FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES | 41 |
| Ratifications, adhesions and reservations | 81 |
| CONVENTION II OF 1907 RESPECTING THE LIMITATION OF THE EMPLOYMENT OF FORCE FOR THE RECOVERY OF CONTRACT DEBTS | 89 |
| Ratifications, adhesions and reservations | 91 |
| CONVENTION III OF 1907 RELATIVE TO THE OPENING OF HOSTILITIES | 96 |
| Ratifications, adhesions and reservations | 98 |
| CONVENTIONS II OF 1899 AND IV OF 1907 RESPECTING THE LAWS AND CUSTOMS OF WAR ON LAND | 100 |
| Ratifications, adhesions and reservations | 129 |
| CONVENTION V OF 1907 RESPECTING THE RIGHTS AND DUTIES OF NEUTRAL POWERS AND PERSONS IN CASE OF WAR ON LAND | 133 |
| Ratifications, adhesions and reservations | 139 |
| CONVENTION VI OF 1907 RELATING TO THE STATUS OF ENEMY MERCHANT SHIPS AT THE OUTBREAK OF HOSTILITIES | 141 |
| Ratifications, adhesions and reservations | 144 |
| CONVENTION VII OF 1907 RELATING TO THE CONVERSION OF MERCHANT SHIPS INTO WAR-SHIPS | 146 |
| Ratifications, adhesions and reservations | 149 |

PAGE

CONVENTION VIII OF 1907 RELATIVE TO THE LAYING OF AUTOMATIC SUBMARINE CONTACT MINES ..... 151
Ratifications, adhesions and reservations ..... 155

CONVENTION IX OF 1907 CONCERNING BOMBARDMENT BY NAVAL FORCES IN TIME OF WAR ..... 157
Ratifications, adhesions and reservations ..... 161

CONVENTIONS III OF 1899 AND X OF 1907 FOR THE ADAPTATION TO MARITIME WARFARE OF THE PRINCIPLES OF THE GENEVA CONVENTION ..... 163
Ratifications, adhesions and reservations ..... 178

CONVENTION XI OF 1907 RELATIVE TO CERTAIN RESTRICTIONS WITH REGARD TO THE EXERCISE OF THE RIGHT OF CAPTURE IN NAVAL WAR ..... 182
Ratifications, adhesions and reservations ..... 186

CONVENTION XII OF 1907 RELATIVE TO THE CREATION OF AN INTERNATIONAL PRIZE COURT ..... 188
Additional Protocol of 1910 ..... 204
Ratifications, adhesions and reservations ..... 208

CONVENTION XIII OF 1907 CONCERNING THE RIGHTS AND DUTIES OF NEUTRAL POWERS IN NAVAL WAR ..... 209
Ratifications, adhesions and reservations ..... 217

DECLARATIONS OF 1899 AND 1907 PROHIBITING THE DISCHARGE OF PROJECTILES AND EXPLOSIVES FROM BALLOONS ..... 220
Ratifications, adhesions and reservations ..... 222

DECLARATION OF 1899 CONCERNING ASPHYXIATING GASES ..... 225
Ratifications, adhesions and reservations ..... 226

DECLARATION OF 1899 CONCERNING EXPANDING BULLETS ..... 227
Ratifications, adhesions and reservations ..... 228

SUMMARY OF THE SIGNATURES, RATIFICATIONS, ADHESIONS AND RESERVATIONS TO THE CONVENTION AND DECLARATIONS OF THE FIRST CONFERENCE ..... 229
Tabular statement ..... 230–232
Texts of reservations ..... 233

SUMMARY OF THE SIGNATURES, RATIFICATIONS, ADHESIONS AND RESERVATIONS TO THE CONVENTIONS AND DECLARATION OF THE SECOND CONFERENCE ..... 235
Tabular statement ..... 236–239
Texts of reservations ..... 240

INDEX OF PERSONS ..... 261

INDEX-DIGEST ..... 267

## PREFACE

In view of the very great interest at the present time in the Conventions and signed Declarations of the First and Second Hague Conferences, and because of the need of accurate information as to ratifications of and adhesions to the Conventions and Declarations relating to war, the Endowment has prepared a series of pamphlets in order that the public may learn from reliable sources the status of these international agreements and the extent to which the Powers at war are bound by their provisions. The pamphlets have now been brought together and issued in volume form, to which there have been added introductory matter and a carefully prepared and elaborate index.

Attention is called to the tables of signatures, ratifications, adhesions and reservations of the two Conferences, pages 229 *et seq.* The compilation has been made from official sources, and the tables have been certified as correct by the Department of State of the United States and by the Minister of Foreign Affairs of the Netherlands. In all cases the reservations contained in the proceedings of the two Conferences, but only referred to in the tables issued by the International Bureau of the Permanent Court of Arbitration, have been translated and printed in full, with the references to the official reports where the reservations are found. Without the complete text of a reservation, it is impossible to know to what extent a Power is bound.

The Conventions and signed Declarations of the two Conferences are accompanied by the respective lists of countries which have (a) *ratified,* or (b) *adhered to,* or (c) *signed but not ratified* them, with the date of the particular action taken. Each Convention or Declaration is followed also by the texts of reservations.

The English translations of the original French texts of the several Conventions and Declarations, and Final Acts of the Conferences reproduce the official translations of the Department of State, except that a few obvious misprints and occasional mistranslations have been corrected. Marginal notes have been added to facilitate reference.

The Conventions and Declarations are numbered as in the Final Acts.

The official published proceedings of the First Conference are referred to in the footnotes as *Procès-verbaux*, those of the Second as *Actes et documents*. The full titles of the publications are respectively: (1) *Conférence internationale de la paix. La Haye, 18 mai-29 juillet, 1899. Ministère des affaires étrangères. Nouvelle édition. La Haye. Martinus Nijhoff, 1907;* (2) *Deuxième conférence internationale de la paix. La Haye, 15 juin-18 octobre, 1907. Actes et documents. Ministère des affaires étrangères. La Haye, imprimerie nationale, 1907.*

J. B. S.

WASHINGTON, D. C.,
*February 27, 1915.*

---

In the reprint of the present volume a few additions have been made to the Introduction and to the section of preliminary documents. These additions, which were suggested by friendly criticism, show in more detail the relation of President Roosevelt and the Russian Government to the calling of the Second Conference and the steps taken to bring about the Additional Protocol to the Prize Court Convention.

J. B. S.

WASHINGTON, D. C.,
*October 1, 1915.*

## INTRODUCTION

In order that the reader may have a clear idea of the origin and nature of the Hague Conferences, some remarks of a general nature are prefixed, and some documents relating to the call, the nature, and the scope of the Conferences have been printed by way of introduction.

On August 12/24, 1898, the Russian Minister of Foreign Affairs, Count Mouravieff, handed to the diplomatic representatives at Petrograd a circular note proposing a conference of the Governments having diplomatic representatives at the Imperial Court, to consider "a possible reduction of the excessive armaments which weigh upon all nations." The note declared the maintenance of general peace and the reduction of armaments "as the ideal toward which the endeavors of all Governments should be directed," and it further stated the belief of the Imperial Government "that the present moment would be very favorable for seeking, by means of international discussion, the most effective means of ensuring to all peoples the benefits of a real and lasting peace, and, above all, of limiting the progressive development of existing armaments."[1]

The conference, therefore, was to meet in the interest of general peace and as a means to this general peace "progressive development of existing armaments" was to be checked, and a "possible reduction of the excessive armaments which weigh upon all nations" was to be attempted. The note, as was to be expected, was general in its terms, as its purpose was to state broadly the purpose of the conference and to secure an expression of opinion from the Powers invited.

As the result of an exchange of notes a second circular was handed, December 30, 1898/January 11, 1899, by Count Mouravieff to the diplomatic representatives at Petrograd. In this note the Russian Government stated, within the compass of a sentence, the Czar's purpose to be "the meeting of a conference with the object of seeking the most effective means of ensuring to all peoples the benefits of a real and lasting peace, and, above all, of limiting the progressive development of existing armaments." The second note, after mentioning "the

[1] *Post*, p. xv.

cordial reception accorded by nearly all the Powers to the step taken by the Imperial Government," sketched a program for the conference.[1]

While keeping the limitation of armaments to the fore, the note recommended the adaptation to naval war of the stipulations of the Geneva Convention of 1864, the revision of the Declaration of Brussels of 1874, dealing with land warfare, which had not been ratified, and, above and beyond all, "the acceptance, in principle, of the use of good offices, mediation, and voluntary arbitration, in cases where they are available, with the purpose of preventing armed conflicts between nations."

The Hague was selected for the meeting of the conference, and, at the request of Russia, the Netherland Government issued the invitations to the Powers accredited to Petrograd.[2]

The Conference, by a delicate compliment, assembled on the Czar's birthday, May 18, 1899, and adjourned on July 29, 1899. In all, twenty-six Governments were represented in the Conference. Of American countries, only the United States and Mexico took part.[3]

The Conference failed to effect the purpose for which it was originally called, as the larger Powers, particularly Germany, were unwilling to agree to a limitation, much less to a reduction, of armaments; but the Convention for the pacific settlement of international disputes was negotiated, which alone would have justified any conference. Notwithstanding the importance of this Convention, the Conference itself was more important than its labors, because it showed the possibility of twenty-six nations meeting in conference and agreeing upon meas-

---

[1] *Post*, p. xvii. [2] *Post*, p. xix.

[3] Brazil was accredited to Petrograd and was invited. In a note of the Brazilian Government dated January 27, 1899, the following reasons are given for declining the invitation:

"The crises through which Brazil has passed in recent years and which have greatly weakened her are too well known to need more than mention here; both our naval forces and our land forces have been greatly reduced and our financial condition is one of suffering.

"Accordingly, the only thought of the new administration is to reconstitute our credit, to develop our resources, and to reorganize our military forces in order to preserve peace. This is why my Government would not care to obligate itself to maintain the military *status quo*.

"Brazil, like Russia at an historical moment, is occupying herself with regaining her strength and desires to stand apart when possible from questions that do not touch her directly. Moreover, in view of her great distance and her lack of influence in the political affairs of Europe, her rôle in the Conference would be of no importance." [*Relatorio apresentado ao presidente da Republica dos Estados Unidos do Brazil pelo ministro de estado das relações exteriores*, 1899, annex 1, p. 74.]

ures of interest to the world's welfare. An idea is generally greater than its realization.

The Conference from the time of its meeting was popularly called a Peace Conference, and the delegates appear to have accepted this designation without formal or official action.

It had been expected by Baron de Staal, the President of the Conference, that a new one would meet the next year.[1] The years slipped by, and Russia, which called the Conference, found itself at war with Japan. The Interparliamentary Union, at its meeting in St. Louis in 1904, therefore urged the President of the United States to call a second conference. President Roosevelt gladly acceded to this request and sounded the Powers as to their willingness to meet again in conference at The Hague. This was done by a note of Secretary of State Hay, dated October 21, 1904, to the American diplomatic representatives accredited to the Governments signatory to the Acts of the First Hague Conference.[2]

The Powers expressed their willingness to take part in a second conference, as is stated in the second note of Secretary Hay of December 16, 1904.[3]

The termination of the Russo-Japanese War through the good offices of President Roosevelt turned the Czar's thoughts again to peace and to the Conference which he had called into being. The Russian Ambassador waited upon President Roosevelt, who had already secured the assent of the Powers to a second conference, and formally proposed on behalf of the Czar that a conference should be held at The Hague as soon as arrangements could be made for its meeting.[4] With that chivalry so characteristic of him, President Roosevelt gladly complied[5] with the request of the Czar, who thereupon resumed the initiative and himself proposed a second peace conference at The Hague.

The Powers accepted this invitation and the program was drafted by Russia in a note to Secretary of State Root, dated April 12, 1906.[6] The Powers were invited by the Netherland Government in April,

---

[1] Honorable Andrew D. White, first delegate of the United States to the First Conference says in his interesting and valuable *Autobiography* (vol. ii, p. 272):

"A delegate also informed me that in talking with M. de Staal the latter declared that in his opinion the present Conference is only the first of a series, and that it is quite likely that another will be held next winter or next spring."

[2] *Post*, p. xx. [3] *Post*, p. xxiv. [4] *Post*, p. xxvii. [5] *Ibid.* [6] *Post*, p. xxix.

1907, to meet at The Hague on June 15.[1] The Conference met as invited and adjourned on October 18, 1907.

It will be recalled that the United States and Mexico were the only American Powers represented at the first Conference. Brazil had been invited but had declined the invitation. The United States, however, was unwilling to participate in a second Conference unless the other Republics of America were asked to attend. It was advisable, if not necessary, that the American Republics should formally approve and agree to be bound by the various Hague agreements. Therefore the American States which did not subscribe to the three Conventions signed at The Hague on July 29, 1899, formally recognized "as a part of public international American law the principles set forth therein."[2] The Convention for the pacific settlement of international disputes was, however, what is known as a closed Convention; that is to say, it could be adhered to by Powers not participating in the First Conference only by the consent of the signatory Powers. The United States and Mexico were authorized on January 15, 1902, by the Second Pan American Conference, which met at Mexico, "to negotiate with the other signatory Powers of the Convention for the adherence thereto of the American nations so requesting and not now signatory to the said Convention."[2] Through the good offices of the United States an agreement was reached and a protocol signed at The Hague on June 14, 1907, "to enable the States that were not represented at the First Peace Conference and were invited to the Second to adhere to the aforesaid Convention."[3] *A procès-verbal* of adhesions was drawn up the next day, which the Latin American States promptly signed.[4] They thus became entitled to the benefits of this epoch-making Convention. Likewise, through the good offices of the United States, due to the enlightened statesmanship and generous forethought of Secretary Root, the Latin American Republics not invited to the First Conference were invited to the Second, and, with the exception of Honduras, which unfortunately was in the throes of a revolution, and of Costa Rica, which did not send delegates, they were all represented and took part in the Conference.

The Conventions of 1899 were revised and some ten new ones adopted by the Second Conference. But important as these documents were and are, the Conference itself was still more important.

---

[1] *Post*, p. xxxi.
[2] Senate Document No. 330, 57th Cong., 1st sess., p. 37.
[3] *Post*, p. xxxii.
[4] *Ibid.*

The First Conference was in the nature of an experiment, which showed, however, that the representatives of twenty-six States could meet and confer and devise measures of use to mankind. The Second Conference, in which forty-four States were represented, demonstrated that practically all nations of the world, recognizing and applying international law, could meet together, discuss and debate matters of universal interest, and, just as smaller and more exclusive bodies, reach results of the greatest value to mankind. The Hague Conference thus passed through the experimental stage and became a recognized international institution.

What is the nature of this international institution? It is sometimes called the Parliament of Man, but this title is both misleading and inaccurate. It is not a parliament in the technical sense, and its actions only effect the States represented. It is a diplomatic body in which each State may be represented by as many delegates as it chooses to send, but its delegates, however numerous, vote as a unit; that is to say, each State has but a single vote. Each State is recognized in international law as the equal of every other State before the law. No authority should be needed for this axiom, but as large States are often said to have greater rights than little ones, thus confusing legal right with political influence, the measured and impressive language of Chief Justice Marshall should be quoted on this point. In the *Antelope* (10 Wheaton 63, 122), decided by the Supreme Court of the United States in 1825, that great and just judge said, speaking for a unanimous Court:

> No principle of general law is more universally acknowledged than the perfect equality of nations. Russia and Geneva have equal rights. It results from this equality that no one can rightfully impose a rule on another. Each legislates for itself, but its legislation can operate on itself alone.

Likewise, on the point of equality, Sir William Scott (Lord Stowell), another great judge of the English-speaking peoples, had already said, in the *Louis* (2 Dodson, 210):

> I have to observe, that two principles of public law are generally recognized as fundamental. One is the perfect equality and entire independence of all distinctive States. Relative magnitude creates no distinction of right; relative imbecility, whether permanent or casual, gives no additional right to the more power-

> ful neighbor; and any advantage seized upon that ground is mere usurpation. This is the great foundation of public law, which it mainly concerns the peace of mankind, both in their politic and private capacities, to preserve inviolate. The second is, that all nations being equal, all have an equal right to the uninterrupted use of the unappropriated parts of the ocean for their navigation.

It necessarily follows that no State is superior to the other, as among equals there is not and can not be a superior. Hence, a State is only bound by the action of the Conference if it consents to it. The unanimity rule prevails in diplomatic conferences. Majorities and minorities, in the parliamentary sense of the word, are unknown.

A body of this kind is, as its name implies, a Conference. It is not a legislature. Its Conventions are recommendations to the Governments participating in the Conference to adopt them according to their respective laws and to deposit the ratifications of them, in accordance with the terms of the Conventions, at The Hague. The signing of a Convention by the delegates at The Hague creates no legal obligation. As the delegates act under instructions it does, however, create a moral obligation to submit the Conventions and signed Declarations to the appropriate branch of the Government in order to be duly approved by this body and to invest them with the force of law in so far as the particular country is concerned. The Conventions and signed Declarations become binding only after the ratifications have been deposited at The Hague.

It sometimes happens that a nation does not sign a Convention. It may later change its mind. If the time is past for signing it may, however, adhere to the Convention, and the deposit of the instrument of adherence at The Hague, in accordance with the terms of the Convention, has the effect of ratification. It should be said that only the formal agreements of the Conference, such as the Conventions and signed Declarations, are ratified. The informal agreements, such as the unsigned declarations, resolutions, recommendations and *vœux* (a cross between a wish and a hope), are not signed separately. The formal Conventions and signed Declarations are in the nature of contracts which, when ratified and deposited at The Hague, become binding upon the ratifying Governments. The informal agreements are not contracts. They are expressions of opinion by the Conference and, as such, have a moral, though not a legal, value. They are not issued separately but are contained in the Final Act, which is an

official summary of the proceedings of each Conference. As such it is signed by the delegates but not ratified by the participating States.

It is not the purpose of this brief note to comment in detail upon the formal or informal agreements of the Conferences, as they speak for themselves. It is, however, advisable to make some general observations upon the Conventions and signed Declarations dealing with war, upon the Prize Court Convention, and upon the Convention for the establishment of a Court of Arbitral Justice.

Most of the Conventions and the signed Declarations concerning war contain a clause to the effect that they only bind belligerents which have ratified them, and then only if all the belligerents are contracting Powers. It is therefore necessary to ascertain whether all belligerents have ratified a particular Convention before pronouncing it to be in effect as regards them. It should, however, be pointed out that the failure of a belligerent to ratify a particular Convention only means that the Convention as such is not binding upon it; it does not and can not mean that the principles of law contained in the Convention may not bind the conduct of the parties. It is therefore necessary still further to ascertain whether the provisions of the Convention are merely a codification of international law. In this event the provisions are binding as international law, although the Convention itself, or this part of it, may be ineffective. A careful examination of the Conventions of the two Conferences will show that most of their provisions are declaratory, not amendatory, of international law, and that the failure of one Power or of any number of Powers to ratify them is merely to be regarded as the rejection of a codified text, not as the rejection of principles of international law, which no Power can reject without excluding itself from the society of nations.

A word should be said about the Additional Protocol to the Convention for the International Prize Court. By this Convention an appeal could be taken from the judgment of the highest court of a particular country to the Prize Court at The Hague, a provision which met with some opposition in the United States on the ground that it might be in conflict with the Constitution (article III, section 1), which vests the judicial power of the United States in the Supreme Court thereof. Secretary Root therefore proposed that, to obviate possible constitutional difficulties, the question at issue between the Governments and not the judgment of the court of last resort should be submitted to the International Prize Court. The result would be a decision upon

the merits of a case without a reversal of the national judgment. Accordingly he took advantage of a conference of maritime Powers, called by Great Britain in 1908 for the formulation of rules of international law to be observed by the International Prize Court, to secure such a modification of the Prize Court Convention.[1] The Conference sitting in London from December 4, 1908, to February 26, 1909, approved the proposal in principle but, feeling that it was beyond its scope, suggested that an agreement should be reached with the various signatories of the original Convention through diplomatic channels.[2] Secretary Bacon, Mr. Root's successor, thereupon notified the Powers represented at the London Conference that this method of procedure was acceptable to the United States and that it would " send an identic circular note to each of the participating powers, setting forth at length the reasons which influence the United States to request a rehearing *de novo* of a question involved in a national prize decision, and the means whereby this change of procedure may be effected without interfering with the rights of governments or individuals under the prize court convention."[3] Therefore Secretary Knox sent an identic circular note[4] dated October 18, 1909, in accordance with the notice given by his immediate predecessor, in which he fully explained the reasons of a constitutional nature which induced the United States to request a modification of the Prize Court Convention and suggested the alternative procedure by which the objection could be removed. As the result of negotiations based upon the terms of this note an additional protocol modifying the Prize Court Convention in this sense was signed at The Hague, September 19, 1910, by thirteen Powers and has since been signed by every signatory of the original Convention.[5] The text of this document is therefore included in the collection, as it is necessary to a correct understanding of the nature and functions of the proposed Prize Court.

Finally, the attention of the reader should be called to the fact that a draft convention for the establishment of a permanent court of

---

[1] *Foreign relations of the United States,* 1909, pp. 300, 304.
[2] *Ibid.,* p. 318.
[3] *Ibid.,* 1910, p. 599.
[4] *Ibid.,* p. 597.
[5] "By order of my Government I have the honor to inform Your Excellency that the additional protocol to the Convention relative to the creation of an International Prize Court has now been signed by all the States signatory to the said Convention." (Mr. Loudon, Minister of the Netherlands, to the Secretary of State of the United States, August 14, 1911.)

justice was adopted by the Second Conference. Unable to agree upon the method of appointing the judges, the Conference nevertheless declared itself in favor of instituting the Court, through diplomatic channels, after the adjournment of the Conference, as appears from the following *vœu:*

> The Conference recommends to the signatory Powers the adoption of the annexed Draft Convention for the creation of a Judicial Arbitration Court, and the bringing it into force as soon as an agreement has been reached respecting the selection of the judges and the constitution of the Court.

Like the Prize Court, the Court of Arbitral justice has not yet been established, but there can be no doubt that one or the other will be constituted, or that a tribunal with the jurisdiction of both will be created and be installed at The Hague at no distant date.

It has been said that the Hague Conference, from being an experiment, has become an institution. In support of this statement the following passage is quoted from the Final Act of 1907:

> Finally, the Conference recommends to the Powers the assembly of a Third Peace Conference, which might be held within a period corresponding to that which has elapsed since the preceding Conference, at a date to be fixed by common agreement between the Powers, and it calls their attention to the necessity of preparing the program of this Third Conference a sufficient time in advance to ensure its deliberations being conducted with the necessary authority and expedition.

Eight years intervened between the First and the Second Conference. The Third therefore should, in accordance with this recommendation, have been held in 1915. The date of meeting, however, is unimportant, if it be admitted that the meeting should and must take place. The Conference should meet automatically at regular, stated periods. It will doubtless do so, and when an international conference meets at short intervals at The Hague the world will have an institution which can not only codify but can develop international law to meet the needs of nations, binding all because made and accepted by all, and adopt measures conceived not in the interest of any one country but of all countries, for the Conference is in reality a law-making body.

As to the value of the Hague Conferences, there can be no doubt.

On this point Secretary Root said, in submitting the Hague Conventions of 1907 for consideration by the Senate:

> Let me go beyond the limits of the customary formal letter of transmittal and say that I think the work of the Second Hague Conference, which is mainly embodied in these Conventions, presents the greatest advance ever made at any single time toward the reasonable and peaceful regulation of international conduct, unless it be the advance made at the Hague Conference of 1899.
>
> The most valuable result of the Conference of 1899 was that it made the work of the Conference of 1907 possible. The achievements of the two Conferences justify the belief that the world has entered upon an orderly process through which, step by step, in successive Conferences, each taking the work of its predecessor as its point of departure, there may be continual progress toward making the practice of civilized nations conform to their peaceful professions.[1]

We must not expect too much at once. The world moves slowly, but it moves. To quote the graceful language of the creator of the Conference, the present enlightened Czar Nicholas: "One must wait longer when planting an oak than when planting a flower."

James Brown Scott,
*Director of the Division of International Law.*

[1] Senate document No. 444, 60th Cong., 1st sess., p. 62.

## DOCUMENTS CHIEFLY RELATING TO THE CALL OF THE CONFERENCES

### RUSSIAN CIRCULAR NOTE PROPOSING THE FIRST PEACE CONFERENCE[1]

The maintenance of general peace and a possible reduction of the excessive armaments which weigh upon all nations present themselves, in the existing condition of the whole world, as the ideal towards which the endeavors of all Governments should be directed.

The humanitarian and magnanimous views of His Majesty the Emperor, my august master, are in perfect accord with this sentiment.

In the conviction that this lofty aim is in conformity with the most essential interests and the legitimate aspirations of all Powers, the Imperial Government believes that the present moment would be very favorable for seeking, by means of international discussion, the most effective means of ensuring to all peoples the benefits of a real and lasting peace, and above all of limiting the progressive development of existing armaments.

In the course of the last twenty years the longings for a general state of peace have become especially pronounced in the consciences of civilized nations. The preservation of peace has been put forward as the object of international policy. In its name great States have formed powerful alliances; and for the better guaranty of peace they have developed their military forces to proportions hitherto unknown and still continue to increase them without hesitating at any sacrifice.

All these efforts nevertheless have not yet led to the beneficent results of the desired pacification.

The ever-increasing financial charges strike and paralyze public prosperity at its source; the intellectual and physical strength of the na-

---

[1]Handed to the diplomatic representatives August 12/24, 1898, by Count Mouravieff, Russian Minister for Foreign Affairs, during the weekly reception in the Foreign Office, Petrograd. French text in *Actes et documents relatifs au programme de la Conférence de la paix, publiés d'ordre du Gouvernement* (The Hague, 1899); British Parliamentary Paper, Russia, No. 1, 1899, p. 1; French Diplomatic Document, *Conférence internationale de la paix, 1899*, p. 1. English versions in *Foreign relations of the United States*, 1898, p. 541; Holls, *The Peace Conference at The Hague*, p. 8; Scott, *The Hague Peace Conferences of 1899 and 1907*, vol. ii, p. 1; Moore, *Digest of International Law*, vol. 7, p. 78; Darby, *International Tribunals* (4th ed.), p. 634; and the British Parliamentary Paper above cited.

tions, their labor and capital, are for the most part diverted from their natural application and unproductively consumed; hundreds of millions are spent in acquiring terrible engines of destruction, which though to-day regarded as the last word of science are destined to-morrow to lose all value in consequence of some fresh discovery in the same field. National culture, economic progress, and the production of wealth are either paralyzed or perverted in their development.

Moreover, in proportion as the armaments of each Power increase, so do they less and less attain the object aimed at by the Governments. Economic crises, due in great part to the system of amassing armaments to the point of exhaustion, and the continual danger which lies in this accumulation of war material, are transforming the armed peace of our days into a crushing burden which the peoples have more and more difficulty in bearing. It appears evident, then, that if this state of affairs be prolonged, it will inevitably lead to the very cataclysm which it is desired to avert, and the impending horrors of which are fearful to every human thought.

In checking these increasing armaments and in seeking the means of averting the calamities which threaten the entire world lies the supreme duty to-day resting upon all States.

Imbued with this idea, His Majesty has been pleased to command me to propose to all the Governments which have accredited representatives at the Imperial Court the holding of a conference to consider this grave problem.

This conference would be, by the help of God, a happy presage for the century about to open. It would converge into a single powerful force the efforts of all the States which sincerely wish the great conception of universal peace to triumph over the elements of disturbance and discord. It would at the same time cement their agreement by a solemn avowal of the principles of equity and law, upon which repose the security of States and the welfare of peoples.

COUNT MOURAVIEFF.

ST. PETERSBURG, *August 12, 1898.*

## RUSSIAN CIRCULAR NOTE PROPOSING THE PROGRAM OF THE FIRST CONFERENCE[1]

ST. PETERSBURG, *December 30, 1898.*[2]

When, during the month of August last, my august master commanded me to propose to the Governments which have representatives in St. Petersburg the meeting of a conference with the object of seeking the most effective means of ensuring to all peoples the benefits of a real and lasting peace and, above all, of limiting the progressive development of existing armaments, there appeared to be no obstacle in the way of realization at no distant date of this humanitarian scheme.

The cordial reception accorded by nearly all the Powers to the step taken by the Imperial Government could not fail to strengthen this expectation. While highly appreciating the sympathetic terms in which the adhesions of most of the Powers were expressed, the Imperial Cabinet has been also able to collect, with lively satisfaction, evidence of the warmest approval which has reached it, and continues to be received, from all classes of society in various parts of the world.

Notwithstanding the strong current of opinion which exists in favor of the ideas of general pacification, the political horizon has recently undergone a decided change. Several Powers have undertaken fresh armaments, striving to increase further their military forces, and in the presence of this uncertain situation it might be asked whether the Powers consider the present moment opportune for the international discussion of the ideas set forth in the circular of August 12/24.

In the hope, however, that the elements of trouble agitating political centers will soon give place to a calmer disposition of a nature to favor the success of the proposed conference, the Imperial Government is of the opinion that it would be possible to proceed forthwith to a preliminary exchange of ideas between the Powers, with the object:

(a) Of seeking without delay means for putting a limit to the progressive increase of military and naval armaments, a question the solution of which becomes evidently more and more urgent in view of the fresh extension given to these armaments; and

---

[1]Handed to the diplomatic representatives at Petrograd, January 11, 1899, by Count Mouravieff. French text in *Actes et documents relatifs au programme de la Conférence de la paix;* British Parliamentary Paper, Miscellaneous, No. 1, 1899, p. 2; French Diplomatic Document, *Conférence internationale de la paix,* 1899, p. 3. English versions in *Foreign relations of the United States,* 1898, p. 551; Holls, *op. cit.,* p. 24; Scott, *op. cit.,* vol. ii, p. 3; Moore, *op. cit.,* vol. 7, p. 80; Darby, *op. cit.,* p. 638; and the British Parliamentary Paper above cited.

[2]January 11, 1899, new style.

(b) Of preparing the way for a discussion of the questions relating to the possibility of preventing armed conflicts by the pacific means at the disposal of international diplomacy.

In the event of the Powers considering the present moment favorable for the meeting of a conference on these bases it would certainly be useful for the cabinets to come to an understanding on the subject of the program of its work.

The subjects to be submitted for international discussion at the conference could in general terms, be summarized as follows:

1. An understanding stipulating the non-augmentation, for a term to be agreed upon, of the present effective armed land and sea forces, as well as the war budgets pertaining to them; preliminary study of the ways in which even a reduction of the aforesaid effectives and budgets could be realized in the future.
2. Interdiction of the employment in armies and fleets of new firearms of every description and of new explosives, as well as powder more powerful than the kinds used at present, both for guns and cannons.
3. Limitation of the use in field fighting of explosives of a formidable power, such as are now in use, and prohibition of the discharge of any kind of projectile or explosive from balloons or by similar means.
4. Prohibition of the use in naval battles of submarine or diving torpedo boats, or of other engines of destruction of the same nature; agreement not to construct in the future war-ships armed with rams.
5. Adaptation to naval war of the stipulations of the Geneva Convention of 1864, on the base of the additional articles of 1868.
6. Neutralization, for the same reason, of boats or launches employed in the rescue of the shipwrecked during or after naval battles.
7. Revision of the declaration concerning the laws and customs of war elaborated in 1874 by the Conference of Brussels, and not yet ratified.
8. Acceptance, in principle, of the use of good offices, mediation, and voluntary arbitration, in cases where they are available, with the purpose of preventing armed conflicts between nations; understanding in relation to their mode of application and establishment of a uniform practice in employing them.

It is well understood that all questions concerning the political relations of States, and the order of things established by treaties, as in general all questions which do not directly fall within the program adopted by the cabinets, must be absolutely excluded from the deliberations of the conference.

In requesting you, sir, to be good enough to apply to your Government for instructions on the subject of my present communication, I beg you at the same time to inform it that, in the interest of the great cause which my august master has so much at heart, His Imperial Majesty considers it advisable that the conference should not sit in the capital of one of the Great Powers, where are centered so many political interests, which might, perhaps, impede the progress of a work in which all countries of the universe are equally interested.

I have, etc.,

COUNT MOURAVIEFF.

---

CIRCULAR INSTRUCTION OF THE NETHERLAND MINISTER FOR FOREIGN AFFAIRS TO THE DIPLOMATIC REPRESENTATIVES OF THE NETHERLANDS. INVITATION TO THE CONFERENCE[1]

THE HAGUE, *April 6, 1899.*

MR. MINISTER:

The Imperial Government of Russia addressed on August 12/24, 1898, to the diplomatic representatives accredited to the Court of St. Petersburg a circular expressing a desire for the meeting of an international conference which should be commissioned to seek the most effective means of ensuring to the world a lasting peace, and of limiting the progressive development of military armaments.

This proposal, due to the noble and generous initiative of the august Emperor of Russia, having met everywhere with a most cordial reception, and obtained the general assent of the Powers, his Excellency the Minister for Foreign Affairs of Russia addressed December 30, 1898 (January 11, 1899) to the same diplomatic representatives a second circular, giving a more concrete form to the generous ideas announced by the magnanimous Emperor and indicating certain questions which might be specially submitted for discussion by the proposed conference.

For political reasons the Imperial Russian Government thought that it would not be desirable that the meeting of this conference should take place in the capital of one of the great Powers, and after being assured of the assent of the Governments interested, it addressed the Cabinet of The Hague with a view of obtaining its consent to the choice

---

[1]French text in *Actes et documents relatifs au programme de la Conférence de la Paix;* British Parliamentary Paper, Miscellaneous, No. 1, 1899, p. 7. English versions in Holls, *op. cit.,* p. 32, and the Parliamentary Paper above cited.

of that capital as the seat of the conference in question. I at once took the orders of Her Majesty the Queen in regard to this request, and I am happy to be able to inform you that Her Majesty, our august sovereign, has been pleased to authorize me to reply that it will be particularly agreeable to her to see the proposed conference meet at The Hague.

Consequently, and in accord with the Imperial Russian Government, I have the honor to instruct you to invite the Government of..... to be good enough to be represented at the above-mentioned conference, in order to discuss the questions indicated in the second Russian circular of December 30, 1898 (January 11, 1899), as well as all other questions connected with the ideas set forth in the circular of August 12/24, 1898, excluding, however, from the deliberations everything which refers to the political relations of States or to the order of things established by treaties.

I trust that the Government to which you are accredited will participate in the great humanitarian work to be entered upon under the auspices of His Majesty the Emperor of All the Russias, and that it will be disposed to accept our invitation and to take the necessary steps for the presence of its representatives at The Hague on May 18, next, for the opening of the conference, at which each Power, whatever may be the number of its delegates, will have only one vote.

Please accept, Mr. Minister, renewed assurance of my high consideration

W. H. DE BEAUFORT.

---

THE SECRETARY OF STATE OF THE UNITED STATES TO THE AMERICAN DIPLOMATIC REPRESENTATIVES ACCREDITED TO THE GOVERNMENTS SIGNATORY TO THE ACTS OF THE FIRST HAGUE CONFERENCE[1]

DEPARTMENT OF STATE,
WASHINGTON, *October 21, 1904.*

SIR: The Peace Conference which assembled at The Hague on May 18, 1899, marked an epoch in the history of nations. Called by His Majesty the Emperor of Russia to discuss the problems of the maintenance of general peace, the regulation of the operations of war, and the lessening of the burdens which preparedness for eventual war

[1] *Foreign relations of the United States,* 1904, p. 10.

entails upon modern peoples, its labors resulted in the acceptance by the signatory Powers of Conventions for the peaceful adjustment of international difficulties by arbitration, and for certain humane amendments to the laws and customs of war by land and sea. A great work was thus accomplished by the Conference, while other phases of the general subject were left to discussion by another conference in the near future, such as questions affecting the rights and duties of neutrals, the inviolability of private property in naval warfare, and the bombardment of ports, towns, and villages by a naval force.

Among the movements which prepared the minds of Governments for an accord in the direction of assured peace among men, a high place may fittingly be given to that set on foot by the Interparliamentary Union. From its origin in the suggestions of a member of the British House of Commons, in 1888, it developed until its membership included large numbers of delegates from the parliaments of the principal nations, pledged to exert their influence toward the conclusion of treaties of arbitration between nations and toward the accomplishment of peace. Its annual conferences have notably advanced the high purposes it sought to realize. Not only have many international treaties of arbitration been concluded, but, in the conference held in Holland in 1894, the memorable declaration in favor of a Permanent Court of Arbitration was a forerunner of the most important achievement of the Peace Conference of The Hague in 1899.

The annual conference of the Interparliamentary Union was held this year at St. Louis, in appropriate connection with the world's fair. Its deliberations were marked by the same noble devotion to the cause of peace and to the welfare of humanity which had inspired its former meetings. By unanimous vote of delegates, active or retired members of the American Congress, and of every parliament in Europe with two exceptions, the following resolution was adopted:

> Whereas, enlightened public opinion and modern civilization alike demand that differences between nations should be adjudicated and settled in the same manner as disputes between individuals are adjudicated, namely, by the arbitrament of courts in accordance with recognized principles of law, this conference requests the several Governments of the world to send delegates to an international conference to be held at a time and place to be agreed upon by them for the purpose of considering:
>
> 1. The questions for the consideration of which the Conference at The Hague expressed a wish that a future conference be called.

2. The negotiation of arbitration treaties between the nations represented at the Conference to be convened.

3. The advisability of establishing an international congress to convene periodically for the discussion of international questions.

And this Conference respectfully and cordially requests the President of the United States to invite all the nations to send representatives to such a conference.

On September 24, ultimo, these resolutions were presented to the President by a numerous deputation of the Interparliamentary Union. The President accepted the charge offered to him, feeling it to be most appropriate that the Executive of the nation which had welcomed the conference to its hospitality should give voice to its impressive utterances in a cause which the American Government and people hold dear. He announced that he would at an early day invite the other nations, parties to the Hague Conventions, to reassemble with a view to pushing forward toward completion the work already begun at The Hague by considering the questions which the first Conference had left unsettled with the express provision that there should be a second conference.

In accepting this trust the President was not unmindful of the fact, so vividly brought home to all the world, that a great war is now in progress. He recalled the circumstance that at the time when, on August 24, 1898, His Majesty the Emperor of Russia sent forth his invitation to the nations to meet in the interests of peace the United States and Spain had merely halted in their struggle to devise terms of peace. While at the present moment no armistice between the parties now contending is in sight, the fact of an existing war is no reason why the nations should relax the efforts they have so successfully made hitherto toward the adoption of rules of conduct which may make more remote the chances of future wars between them. In 1899 the Conference of The Hague dealt solely with the larger general problems which confront all nations, and assumed no function of intervention or suggestion in the settlement of the terms of peace between the United States and Spain. It might be the same with a reassembled conference at the present time. Its efforts would naturally lie in the direction of further codification of the universal ideas of right and justice which we call international law; its mission would be to give them future effect.

The President directs that you will bring the foregoing considerations to the attention of the Minister for Foreign Affairs of the Gov-

ernment to which you are accredited and, in discreet conference with him, ascertain to what extent that Government is disposed to act in the matter.

Should his Excellency invite suggestions as to the character of the questions to be brought before the proposed Second Peace Conference, you may say to him that, at this time, it would seem premature to couple the tentative invitation thus extended with a categorical program of subjects of discussion. It is only by comparison of views that a general accord can be reached as to the matters to be considered by the new conference. It is desirable that in the formulation of a program the distinction should be kept clear between the matters which belong to the province of international law and those which are conventional as between individual Governments. The Final Act of The Hague Conference, dated July 29, 1899, kept this distinction clearly in sight. Among the broader general questions affecting the right and justice of the relation of sovereign States which were then relegated to a future conference were the rights and duties of neutrals, the inviolability of private property in naval warfare, and the bombardment of ports, towns, and villages by a naval force. The other matters mentioned in the Final Act take the form of suggestions for consideration by interested Governments.

The three points mentioned cover a large field. The first, especially, touching the rights and duties of neutrals, is of universal importance. Its rightful disposition affects the interests and well-being of all the world. The neutral is something more than an onlooker. His acts of omission or commission may have an influence—indirect, but tangible—on a war actually in progress; whilst on the other hand he may suffer from the exigencies of the belligerents. It is this phase of warfare which deeply concerns the world at large. Efforts have been made, time and again, to formulate rules of action applicable to its more material aspects, as in the declarations of Paris. As recently as April 28 of this year the Congress of the United States adopted a resolution reading thus:

> *Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That it is the sense of the Congress of the United States that it is desirable, in the interest of uniformity of action by the maritime States of the world in time of war, that the President endeavor to bring about an understanding among the principal maritime Powers with a view of incorporating into the permanent law of civilized

nations the principle of the exemption of all private property at sea, not contraband of war, from capture or destruction by belligerents.

Approved, April 28, 1904.

Other matters closely affecting the rights of neutrals are the distinction to be made between absolute and conditional contraband of war, and the inviolability of the official and private correspondence of neutrals.

As for the duties of neutrals toward the belligerent, the field is scarcely less broad. One aspect deserves mention, from the prominence it has acquired during recent times, namely, the treatment due to refugee belligerent ships in neutral ports.

It may also be desirable to consider and adopt a procedure by which States non-signatory to the original Acts of the Hague Conference may become adhering parties.

You will explain to his Excellency the Minister of Foreign Affairs that the present overture for a second conference to complete the postponed work of the First Conference is not designed to supersede other calls for the consideration of special topics, such as the proposition of the Government of the Netherlands, recently issued, to assemble for the purpose of amending the provisions of the existing Hague Convention with respect to hospital ships. Like all tentative conventions, that one is open to change in the light of practical experience, and the fullest deliberation is desirable to that end.

Finally, you will state the President's desire and hope that the undying memories which cling around The Hague as the cradle of the beneficent work which had its beginning in 1899 may be strengthened by holding the Second Peace Conference in that historic city.

I am, sir, etc.,

JOHN HAY.

---

THE SECRETARY OF STATE OF THE UNITED STATES TO THE AMERICAN REPRESENTATIVES ACCREDITED TO THE GOVERNMENTS SIGNATORY TO THE ACTS OF THE FIRST HAGUE CONFERENCE[1]

DEPARTMENT OF STATE,
WASHINGTON, *December 16, 1904.*

SIR: By the circular instruction dated October 21, 1904, the representatives of the United States accredited to the several Governments

[1] *Foreign relations of the United States,* 1904, p. 13.

which took part in the Peace Conference held at The Hague in 1899, and which joined in signing the Acts thereof, were instructed to bring to the notice of those Governments certain resolutions adopted by the Interparliamentary Union at its annual conference held at St. Louis in September last, advocating the assembling of a Second Peace Conference to continue the work of the First, and were directed to ascertain to what extent those Governments were disposed to act in the matter.

The replies so far received indicate that the proposition has been received with general favor. No dissent has found expression. The Governments of Austria-Hungary, Denmark, France, Germany, Great Britain, Italy, Luxemburg, Mexico, the Netherlands, Portugal, Roumania, Spain, Sweden and Norway, and Switzerland exhibit sympathy with the purposes of the proposal, and generally accept it in principle, with the reservation in most cases of future consideration of the date of the conference and the program of subjects for discussion. The replies of Japan and Russia conveyed in like terms a friendly recognition of the spirit and purposes of the invitation, but on the part of Russia the reply was accompanied by the statement that in the existing condition of things in the Far East it would not be practicable for the Imperial Government, at this moment, to take part in such a conference. While this reply, tending as it does to cause some postponement of the proposed Second Conference, is deeply regretted, the weight of the motive which induces it is recognized by this Government and, probably, by others. Japan made the reservation only that no action should be taken by the conference relative to the present war.

Although the prospect of an early convocation of an august assembly of representatives of the nations in the interest of peace and harmony among them is deferred for the time being, it may be regarded as assured so soon as the interested Powers are in a position to agree upon a date and place of meeting and to join in the formulation of a general plan for discussion. The President is much gratified at the cordial reception of his overtures. He feels that in eliciting the common sentiment of the various Governments in favor of the principle involved and of the objects sought to be attained a notable step has been taken toward eventual success.

Pending a definite agreement for meeting when circumstances shall permit, it seems desirable that a comparison of views should be had among the participants as to the scope and matter of the subjects to

be brought before the Second Conference. The invitation put forth by the Government of the United States did not attempt to do more than indicate the general topics which the Final Act of the First Conference of The Hague relegated, as unfinished matters, to consideration by a future conference—adverting, in connection with the important subject of the inviolability of private property in naval warfare, to the like views expressed by the Congress of the United States in its resolution adopted April 28, 1904, with the added suggestion that it may be desirable to consider and adopt a procedure by which States non-signatory to the original Acts of the Hague Conference may become adhering parties. In the present state of the project, this Government is still indisposed to formulate a program. In view of the virtual certainty that the President's suggestion of The Hague as the place of meeting of a Second Peace Conference will be accepted by all the interested Powers, and in view also of the fact that an organized representation of the signatories of the Acts of 1899 now exists at that capital, this Government feels that it should not assume the initiative in drawing up a program, nor preside over the deliberations of the signatories in that regard. It seems to the President that the high task he undertook in seeking to bring about an agreement of the Powers to meet in a Second Peace Conference is virtually accomplished so far as it is appropriate for him to act, and that, with the general acceptance of his invitation in principle, the future conduct of the affair may fitly follow its normal channels. To this end it is suggested that the further and necessary interchange of views between the signatories of the Acts of 1899 be effected through the International Bureau under the control of the Permanent Administrative Council of The Hague. It is believed that in this way, by utilizing the central representative agency established and maintained by the Powers themselves, an orderly treatment of the preliminary consultations may be insured and the way left clear for the eventual action of the Government of the Netherlands in calling a renewed conference to assemble at The Hague, should that course be adopted.

You will bring this communication to the knowledge of the Minister for Foreign Affairs and invite consideration of the suggestions herein made.

I am, etc.,

JOHN HAY.

MEMORANDUM FROM THE RUSSIAN EMBASSY HANDED TO THE PRESIDENT OF THE UNITED STATES, SEPTEMBER 13, 1905, PROPOSING A SECOND PEACE CONFERENCE AT THE HAGUE[1]

In view of the termination, with the cordial coöperation of the President of the United States, of the war and of the conclusion of peace between Russia and Japan, His Majesty the Emperor, as initiator of the International Peace Conference of 1899, holds that a favorable moment has now come for the further development and for the systematizing of the labors of that international conference. With this end in view and being assured in advance of the sympathy of President Roosevelt, who has already last year pronounced himself in favor of such a project, His Majesty desires to approach him with a proposal to the effect that the Government of the United States take part in a new international conference which could be called together at The Hague as soon as favorable replies could be secured from all the other States to which a similar proposal will be made. As the course of the late war has given rise to a number of questions which are of the greatest importance and closely related to the Acts of the First Conference, the plenipotentiaries of Russia at the future meeting will lay before the conference a detailed program which could serve as a starting point for its deliberations.

---

MR. ROOT, SECRETARY OF STATE, TO THE RUSSIAN AMBASSADOR[2]

*Memorandum*

DEPARTMENT OF STATE,
WASHINGTON, *October 12, 1905.*

On the 13th of last month, at Sagamore Hill, his excellency the Ambassador of Russia presented to the President a memorandum, being a message from His Majesty the Tsar to the President, to the effect that in view of the termination, with the cordial coöperation of the President, of the war, and of the conclusion of peace between Russia and Japan, His Imperial Majesty, as initiator of the International Peace Conference of 1899, deems the present a favorable moment for further developing and systematizing the labors of that conference, and that to this end, upon being assured in advance of the sympathy of the President, who last year pronounced himself in favor of such a project, His Majesty desires to approach the President with a proposal to the

---

[1] *Foreign relations of the United States,* 1905, p. 828.
[2] *Ibid.*, p. 829.

effect that the Government of the United States take part in a new international conference, which could be called together at The Hague as soon as favorable replies may be obtained from all the other states to which a similar proposal is to be made.

The Secretary of State, by direction of the President, has the honor to confirm to his excellency the Ambassador of Russia the assurances which the President had the sincere pleasure to give to his excellency at the time of the presentation of the memorandum of September 13. The President's circulars to the powers, parties to the acts of The Hague Conference, which the late Secretary of State communicated to the several signatory states through the American envoys accredited thereto, dated, respectively, October 21 and December 16 of last year, have demonstrated the President's keen desire that upon a favorable occasion the labors of the First International Peace Conference might be supplemented and completed by an accord to be reached by a second conference of the powers. The suggestion so put forth having been accepted in principle by the signatories, it only remained for the opportune moment to come for the powers to agree upon the place and time for their renewed assemblage in order to perfect the beneficial agreements of the first conference.

The President most gladly welcomes the offer of His Imperial Majesty to again take upon himself the initiation of the steps requisite to convene a Second International Peace Conference, as the necessary sequence to the first conference, brought about through His Majesty's efforts, and in view of the cordial responses to the President's suggestion of October, 1904, he doubts not that the project will meet with complete acceptation and that the result will be to bring the nations of the earth still more closely together in their common endeavor to advance the ends of peace.

As respects the further statement of his excellency's memorandum of September 13, that, as the late war has given rise to a number of questions which are of the greatest importance and closely related to the acts of the first conference, the plenipotentiaries of Russia, at the future meeting, will lay before the conference a detailed programme which could serve as a starting point for its deliberations, the President finds it in consonance with the indications of his circular of October 21, 1904, touching the questions to come before a second conference for discussion, and the importance of completing the work of the first conference by ample exchange of views and, it is to be hoped, full concord upon the broad questions specifically relegated by the final act of The Hague to the consideration of a future conference.

THE RUSSIAN AMBASSADOR TO THE SECRETARY OF STATE PROPOSING THE PROGRAM OF THE SECOND CONFERENCE[1]

IMPERIAL EMBASSY OF RUSSIA,
WASHINGTON, *April 12, 1906.*

MR. SECRETARY OF STATE: When it assumed the initiative of calling a Second Peace Conference, the Imperial Government had in view the necessity of further developing the humanitarian principles on which was based the work accomplished by the great international assemblage of 1899.

At the same time, it deemed it expedient to enlarge as much as possible the number of States participating in the labors of the contemplated conference, and the alacrity with which the call was answered bears witness to the depth and breadth of the present sentiment of solidarity for the application of ideas aiming at the good of all mankind.

The First Conference separated in the firm belief that its labors would subsequently be perfected from the effect of the regular progress of enlightment among the nations and abreast of the results acquired from experience. Its most important creation, the International Court of Arbitration, is an institution that has already proved its worth and brought together, for the good of all, an areopagus of jurists who command the respect of the world. How much good could be accomplished by international commissions of inquiry toward the settlement of disputes between States has also been shown.

There are, however, certain improvements to be made in the Convention relative to the pacific settlement of international disputes. Following recent arbitrations, the jurists assembled in court have raised certain questions of details which should be acted upon by adding to the said Convention the necessary amplifications. It would seem especially desirable to lay down fixed principles in regard to the use of languages in the proceedings in view of the difficulties that may arise in the future as the cases referred to arbitral jurisdiction multiply. The *modus operandi* of international commissions of inquiry would likewise be open to improvement.

As regards the regulating of the laws and customs of war on land, the provisions established by the First Conference ought also to be completed and defined, so as to remove all misapprehensions.

---

[1] *Foreign relations of the United States,* 1906, vol. ii, p. 1629.

As for maritime warfare, in regard to which the laws and customs of the several countries differ on certain points, it is necessary to establish fixed rules in keeping with the exigencies of the rights of belligerents and the interests of neutrals.

A convention bearing on these subjects should be framed and would constitute one of the most prominent parts of the tasks devolved upon the forthcoming conference.

Holding, therefore, that there is at present occasion only to examine questions that demand special attention as being the outcome of the experience of recent years, without touching upon those that might have reference to the limitation of military or naval forces, the Imperial Government proposes for the program of the contemplated meeting the following main points:

1. Improvements to be made in the provisions of the Convention relative to the pacific settlement of international disputes as regards the Court of Arbitration and the international commissions of inquiry.

2. Additions to be made to the provisions of the Convention of 1899 relative to the laws and customs of war on land—among others, those concerning the opening of hostilities, the rights of neutrals on land, etc. Declarations of 1899: one of these having expired, question of its being revived.

3. Framing of a convention relative to the laws and customs of maritime warfare, concerning—

The special operations of maritime warfare, such as the bombardment of ports, cities, and villages by a naval force; the laying of torpedoes, etc.;

The transformation of merchant vessels into war-ships;

The private property of belligerents at sea;

The length of time to be granted to merchant ships for their departure from ports of neutrals or of the enemy after the opening of hostilities;

The rights and duties of neutrals at sea, among others, the questions of contraband, the rules applicable to belligerent vessels in neutral ports; destruction, in case of *vis major,* of neutral merchant vessels captured as prizes;

In the said convention to be drafted, there would be introduced the provisions relative to war on land that would be also applicable to maritime warfare.

4. Additions to be made to the Convention of 1899 for the adaptation to maritime warfare of the principles of the Geneva Convention of 1864.

As was the case at the Conference of 1899, it would be well understood that the deliberations of the contemplated meeting should not deal with the political relations of the several States, or the condition of things established by treaties, or in general with questions that did not directly come within the program adopted by the several cabinets.

The Imperial Government desires distinctly to state that the data of this program and the eventual acceptance of the several States clearly do not prejudge the opinion that may be delivered in the conference in regard to the solving of the questions brought up for discussion. It would likewise be for the contemplated meeting to decide as to the order of the questions to be examined and the form to be given to the decisions reached as to whether it should be deemed preferable to include some of them in new conventions or to append them, as additions, to conventions already existing.

In formulating the above-mentioned program, the Imperial Government bore in mind, as far as possible, the recommendations made by the First Peace Conference, with special regard to the rights and duties of neutrals, the private property of belligerents at sea, the bombardment of ports, cities, etc. It entertains the hope that the Government of the United States will take the whole of the points proposed as the expression of a wish to come nearer that lofty ideal of international justice that is the permanent goal of the whole civilized world.

By order of my Government, I have the honor to acquaint you with the foregoing, and awaiting the reply of the Government of the United States with as little delay as possible, I embrace this opportunity to beg you, Mr. Secretary of State, to accept the assurance of my very high consideration.

ROSEN.

---

### NETHERLAND INVITATION TO THE SECOND HAGUE CONFERENCE[1]

ROYAL LEGATION OF THE NETHERLANDS,
WASHINGTON, D. C., *April 10, 1907.*

MR. SECRETARY OF STATE: I have the honor to bring to your Excellency's knowledge that, according to a communication I have just received from the Minister of Foreign Affairs, the meeting of the Peace Conference at The Hague has been fixed for the 15th of June next.

---

[1] *Foreign relations of the United States,* 1907, p. 1109.

I am at the same time instructed by the Government of the Queen to invite the Government of the United States to be pleased to send delegates thereto.

Hereby carrying out my orders, I embrace this opportunity to renew to you, Mr. Secretary, the assurances of my highest consideration.

VAN SWINDEREN.

---

PROTOCOL REGARDING ADHESIONS TO THE 1899 CONVENTION FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES[1]

The Powers which have ratified the Convention for the pacific settlement of international disputes, signed at The Hague on July 29, 1899, desiring to enable the States that were not represented at the First Peace Conference and were invited to the Second to adhere to the aforesaid Convention, the undersigned delegates or diplomatic representatives of the above-mentioned Powers, viz.:

Germany, Austria-Hungary, Belgium, Bulgaria, China, Denmark, Spain, the United States of America, the United States of Mexico, France, Great Britain, Greece, Italy, Japan, Luxemburg, Montenegro, Norway, the Netherlands, Persia, Portugal, Roumania, Russia, Servia, Siam, Sweden, Switzerland, and Turkey, duly authorized to that effect, have agreed that there shall be opened by the Minister of Foreign Affairs of the Netherlands, a *procès-verbal* of adhesions, that shall serve to receive and record the said adhesions, which shall immediately go into effect. In witness whereof the present protocol was drawn up, in a single copy, which shall remain in deposit in the archives of the Ministry of Foreign Affairs of the Netherlands and of which an authenticated copy shall be transmitted to each one of the signatory Powers.

Done at The Hague, June 14, 1907.

[Here follow signatures.]

---

PROCÈS-VERBAL OF ADHESION[2]

There was signed in this city on June 14, 1907, a protocol establishing, in respect to the Powers unrepresented at the First Peace Con-

---

[1]Martens, *Nouveau Recueil Général de Traités*, 3d series, vol. ii, p. 4. See *post* p. 79, Article 60.

[2]Martens, 3d series, vol. ii, p. 6.

ference which have been invited to the Second, the mode of adhesion to the Convention for the peaceful settlement of international disputes, signed at The Hague, July 29, 1899.

Pursuant to the said protocol, the undersigned, Minister of Foreign Affairs for Her Majesty the Queen of the Netherlands, on this day opened the present *procès-verbal* intended to receive and furthermore to record, as they may be presented, the adhesions of the aforesaid Convention.

Done at The Hague, on June 15, 1907, in a single copy, which shall remain in deposit in the archives of the Ministry of Foreign Affairs of the Netherlands, and of which a duly certified copy shall be transmitted to each of the signatory Powers.

VAN TETS VAN GOUDRIAAN.

*Successively adhered:* Argentine Republic, Brazil, Bolivia, Chile, Colombia, Cuba, Guatemala, Haiti, Nicaragua, Panama, Paraguay, Peru, Dominican Republic, Venezuela, Uruguay, Salvador and Ecuador.

## THE FINAL ACTS OF THE FIRST AND SECOND HAGUE PEACE CONFERENCES, TOGETHER WITH THE DRAFT CONVENTION ON A JUDICIAL ARBITRATION COURT

### 1899

FINAL ACT of the International Peace Conference.—Signed at The Hague, July 29, 1899.

The International Peace Conference, convoked in the best interests of humanity by His Majesty the Emperor of All the Russias, assembled, on the invitation of the Government of Her Majesty the Queen of the Netherlands, in the Royal House in the Wood at The Hague on the 18th May, 1899.

The Powers enumerated in the following list took part in the Conference, to which they appointed the delegates named below:

For Germany:

His Excellency Count de Münster, German Ambassador at Paris, delegate plenipotentiary;

The Baron de Stengel, professor at the University of Munich, second delegate;

### 1907

FINAL ACT of the Second International Peace Conference.—Signed at The Hague, October 18, 1907.

Convocation.

The Second International Peace Conference, proposed in the first instance by the President of the United States of America, having been convoked, on the invitation of His Majesty the Emperor of All the Russias, by Her Majesty the Queen of the Netherlands, assembled on the 15th June, 1907, at The Hague, in the Hall of the Knights, for the purpose of giving a fresh development to the humanitarian principles which served as a basis for the work of the First Conference of 1899.

Delegates.

The following Powers took part in the Conference, and appointed the delegates named below:

Germany.

Germany:

His Excellency Baron Marschall de Bieberstein, Minister of State, Imperial Ambassador at Constantinople, first delegate plenipotentiary;

Mr. Kriege, Imperial Envoy on Extraordinary Mission at the

| 1899 | 1907 |
|---|---|
| Dr. Zorn, Judicial Privy Councilor, professor at the University of Königsberg, scientific delegate; | present Conference, Privy Councilor of Legation and Legal Adviser to the Ministry for Foreign Affairs, member of the Permanent Court of Arbitration, second delegate plenipotentiary; |
| Colonel de Gross de Schwarzhoff, Commandant of the 5th Regiment of Infantry, No. 94, technical delegate; | Rear-Admiral Siegel, Naval Attaché to the Imperial Embassy at Paris, naval delegate; |
| Captain Siegel, Naval Attaché to the Imperial Embassy at Paris, technical delegate. | Major General de Gündell, Quartermaster General of the General Staff of the Royal Prussian Army, military delegate; |
| | Mr. Zorn, professor to the Faculty of Law at the University of Bonn, Judicial Privy Councilor, member of the Prussian Upper Chamber, and Crown Syndic, scientific delegate; |
| | Mr. Göppert, Counselor of Legation and Counselor attached to the Department for Foreign Affairs, assistant delegate; |
| | Mr. Retzmann, Lieutenant Commander on the Naval General Staff, assistant naval delegate. |
| United States. For the United States of America:[1] | The United States of America: |
| His Excellency Mr. Andrew D. White, United States Ambassador at Berlin, delegate plenipotentiary; | His Excellency Mr. Joseph H. Choate, ex-Ambassador at London, Ambassador Extraordinary, delegate plenipotentiary; |

[1]The order of the countries in the original of the 1899 Final Act has been here departed from in a few instances (United States, Mexico and Bulgaria) for the purpose of presenting each country's respective delegations to the 1899 and 1907 Conferences in juxtaposition.

**1899**

The Honorable Seth Low, president of the Columbia University at New York, delegate plenipotentiary;

Mr. Stanford Newel, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary;

Captain Alfred T. Mahan, United States Navy, delegate plenipotentiary;

Mr. William Crozier, Captain of Artillery, delegate plenipotentiary;

Mr. Frederick W. Holls, advocate at New York, delegate and secretary to the delegation.

**1907**

His Excellency Mr. Horace Porter, ex-Ambassador at Paris, Ambassador Extraordinary, delegate plenipotentiary;

His Excellency Mr. Uriah M. Rose, Ambassador Extraordinary, delegate plenipotentiary;

His Excellency Mr. David Jayne Hill, ex-Assistant Secretary of State, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary;

Rear-Admiral Charles S. Sperry, ex-president of the Naval War College, Minister Plenipotentiary, delegate plenipotentiary;

Brigadier General George B. Davis, Judge Advocate General of the United States Army, Minister Plenipotentiary, delegate plenipotentiary;

Mr. William I. Buchanan, ex-Minister at Buenos Aires, ex-Minister at Panama, Minister Plenipotentiary, delegate plenipotentiary;

Mr. James Brown Scott, Solicitor for the Department of State, technical delegate;

Mr. Charles Henry Butler, Reporter of the Supreme Court, technical delegate.

| | 1899 | 1907 |
|---|---|---|
| Argentine Republic. | | The Argentine Republic:<br>His Excellency Mr. Roque Saenz Peña, ex-Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary at Rome, member of the Permanent Court of Arbitration, delegate plenipotentiary;<br>His Excellency Mr. Luis M. Drago, ex-Minister for Foreign Affairs, deputy member of the Permanent Court of Arbitration, delegate plenipotentiary;<br>His Excellency Mr. Carlos Rodríguez Larreta, ex-Minister for Foreign Affairs, member of the Permanent Court of Arbitration, delegate plenipotentiary;<br>General Francisco Reynolds, Military Attaché at Berlin, technical delegate;<br>Captain Juan A. Martin, ex-Minister of Marine, Naval Attaché at London, technical delegate. |
| Austria-Hungary. | For Austria-Hungary:<br>His Excellency Count R. Welsersheimb, Ambassador Extraordinary and Plenipotentiary, first delegate, plenipotentiary;<br>Mr. Alexandre Okolicsányi d'Okolicsna, Envoy Extraordinary and Minister Plenipotentiary at The Hague, sec- | Austria-Hungary:<br>His Excellency Mr. Gaëtan Mérey de Kapos-Mére, Privy Councilor of His Imperial and Royal Apostolic Majesty, Ambassador Extraordinary and Plenipotentiary, first delegate plenipotentiary;<br>His Excellency Baron Charles de Macchio, Envoy Extraor- |

| 1899 | 1907 |
| --- | --- |
| ond delegate, plenipotentiary; | dinary and Minister Plenipotentiary at Athens, second delegate plenipotentiary; |
| Mr. Gaëtan Mérey de Kapos-Mére, Counselor of Embassy and Chief of Cabinet of the Minister for Foreign Affairs, assistant delegate; | Mr. Henri Lammasch, professor at the University of Vienna, Aulic Councilor, member of the Austrian Upper Chamber of the Reichsrath, member of the Permanent Court of Arbitration, scientific delegate; |
| Mr. Henri Lammasch, professor at the University of Vienna, assistant delegate; | Mr. Antoine Haus, Rear-Admiral, naval delegate; |
| Mr. Victor de Khuepach zu Ried, Zimmerlehen and Haslburg, Lieutenant Colonel on the General Staff, assistant delegate; | Baron Wladimir, Giesl de Gieslingen, Major General, Military Plenipotentiary at the Imperial and Royal Embassy at Constantinople and at the Imperial and Royal Legation at Athens, military delegate; |
| Count Stanislas Soltyk, Captain of Corvette, assistant delegate. | The Chevalier Othon de Weil, Aulic and Ministerial Councilor at the Ministry of the Imperial and Royal Household and of Foreign Affairs, delegate; |
| | Mr. Jules Szilassy de Szilas et Pilis, Counselor of Legation, delegate; |
| | Mr. Emile Konek de Norwall, Naval Lieutenant of the First Class, delegate attached. |
| For Belgium: | Belgium: |
| His Excellency Mr. Auguste Beernaert, Minister of State, President of the Chamber of Representatives, delegate plenipotentiary; | His Excellency Mr. A. Beernaert, Minister of State, member of the Chamber of Representatives, member of the Institute of France and Belgium. |

| 1899 | 1907 |
| --- | --- |
| The Count de Grelle Rogier, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary; | of the Royal Academies of Belgium and Roumania, honorary member of the Institute of International Law, member of the Permanent Court of Arbitration, delegate plenipotentiary; |
| The Chevalier Descamps, Senator, delegate plenipotentiary. | His Excellency Mr. J. van den Heuvel, Minister of State, ex-Minister of Justice, delegate plenipotentiary; |
| | His Excellency Baron Guillaume, Envoy Extraordinary and Minister Plenipotentiary at The Hague, member of the Royal Academy of Roumania, delegate plenipotentiary. |
| Bolivia. | Bolivia: |
| | His Excellency Mr. Claudio Pinilla, Minister for Foreign Affairs, member of the Permanent Court of Arbitration, delegate plenipotentiary; |
| | His Excellency Mr. Fernando E. Guachalla, Minister Plenipotentiary at London, delegate plenipotentiary; |
| Brazil. | Brazil: |
| | His Excellency Mr. Ruy Barbosa, Ambassador Extraordinary and Plenipotentiary, Vice-President of the Senate, member of the Permanent Court of Arbitration, delegate plenipotentiary; |
| | His Excellency Mr. Eduardo F. S. dos Santos Lisbôa, Envoy Extraordinary and Minister |

| 1899 | 1907 |
| --- | --- |
| | Plenipotentiary at The Hague, delegate plenipotentiary;<br>Colonel Roberto Trompowsky Leitâo de Almeida, Military Attaché at The Hague, technical delegate;<br>Commander Tancredo Burlamaqui de Moura, technical delegate. |
| For Bulgaria:[1]<br>Dr. Dimitri I. Stancioff, Diplomatic Agent at St. Petersburg, first delegate, plenipotentiary;<br>Major Christo Hessaptchieff, Military Attaché at Belgrade, second delegate, plenipotentiary. | Bulgaria: Bulgaria.<br>Major General on the Staff Vrban Vinaroff, General *á la suite*, first delegate plenipotentiary;<br>Mr. Ivan Karandjouloff, Procureur-Général of the Court of Cassation, second delegate plenipotentiary;<br>Commander S. Dimitrieff, Chief of the Staff of the Bulgarian Flotilla, delegate. |
| | Chile: Chile.<br>His Excellency Mr. Domingo Gana, Envoy Extraordinary and Minister Plenipotentiary at London, delegate plenipotentiary;<br>His Excellency Mr. Augusto Matte, Envoy Extraordinary and Minister Plenipotentiary at Berlin, delegate plenipotentiary;<br>His Excellency Mr. Carlos Concha, ex-Minister of War, ex-President of the Chamber of Deputies, ex-Envoy Extraordinary and Minister Plenipotentiary at Buenos |

[1]See footnote on p. 2.

| 1899 | 1907 |
| --- | --- |
| | Aires, delegate plenipotentiary. |
| China. For China: | China: |
| Mr. Yang Yü, Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg, first delegate, plenipotentiary; | His Excellency Mr. Lou-Tseng-Tsiang, Ambassador Extraordinary, delegate plenipotentiary; |
| Mr. Lou-Tseng-Tsiang, second delegate; | His Excellency the Honorable John W. Foster, ex-Secretary of State at the United States Department for Foreign Affairs, delegate plenipotentiary; |
| Mr. Hoo-Wei-Teh, second delegate; | His Excellency Mr. Tsien-Sun, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary; |
| Mr. Ho-Yen-Cheng, Counselor of Legation, assistant delegate. | Colonel W. S. Y. Tinge, Judge Advocate General at the War Office, military delegate; |
| | Mr. Chang Ching Tong, Secretary of Legation, assistant delegate; |
| | Mr. Chao-Hi-Chiu, ex-Secretary of the Imperial Chinese Mission and Legation at Paris and Rome, assistant delegate. |
| Colombia. | Colombia: |
| | General Jorge Holguin, delegate plenipotentiary; |
| | Mr. Santiago Perez Triana, delegate plenipotentiary; |
| | His Excellency General M. Vargas, Envoy Extraordinary and Minister Plenipotentiary at Paris, delegate plenipotentiary. |

| 1899 | 1907 | |
|---|---|---|
| | The Republic of Cuba:<br>Mr. Antonio Sanchez de Bustamante, professor of international law at the University of Havana, Senator of the Republic, delegate plenipotentiary;<br>His Excellency Mr. Gonzalo de Quesada y Arostégui, Envoy Extraordinary and Minister Plenipotentiary at Washington, delegate plenipotentiary;<br>Mr. Manuel Sanguily, ex-director of the Institute of Secondary Education at Havana, Senator of the Republic, delegate plenipotentiary. | Cuba. |
| For Denmark:<br>Chamberlain Fr. E. de Bille, Envoy Extraordinary and Minister Plenipotentiary at London, first delegate, plenipotentiary;<br>Mr. J. G. F. von Schnack, Colonel of Artillery, ex-Minister for War, second delegate, plenipotentiary. | Denmark:<br>His Excellency Mr. C. Brun, Envoy Extraordinary and Minister Plenipotentiary at Washington, first delegate plenipotentiary;<br>Rear-Admiral C. F. Scheller, second delegate plenipotentiary;<br>Mr. A. Vedel, Chamberlain, Head of Department at the Royal Ministry for Foreign Affairs, third delegate plenipotentiary. | Denmark. |
| | The Dominican Republic:<br>Mr. Francisco Henriquez i Carvajal, ex-Minister for Foreign Affairs, member of the Permanent Court of Arbitration, delegate plenipotentiary;<br>Mr. Apolinar Tejera, rector of the Professional Institute of | Dominican Republic. |

| | 1899 | 1907 |
|---|---|---|
| | | Santo Domingo, member of the Permanent Court of Arbitration, delegate plenipotentiary. |
| Ecuador. | | The Republic of Ecuador:<br>His Excellency Mr. Victor Rendón, Envoy Extraordinary and Minister Plenipotentiary at Paris and Madrid, delegate plenipotentiary;<br>Mr. Enrique Dorn y de Alsua, Chargé d'Affaires, delegate plenipotentiary. |
| Spain. | For Spain:<br>His Excellency Duke de Tetuan, ex-Minister for Foreign Affairs, first delegate, plenipotentiary;<br>Mr. W. Ramirez de Villa Urrutia, Envoy Extraordinary and Minister Plenipotentiary at Brussels, delegate plenipotentiary;<br>Mr. Arthur de Baguer, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary;<br>The Count del Serrallo, Colonel, Military Attaché to the Spanish Legation at Brussels, assistant delegate. | Spain:<br>His Excellency Mr. W. R. de Villa-Urrutia, Senator, ex-Minister for Foreign Affairs, Ambassador Extraordinary and Plenipotentiary at London, first delegate plenipotentiary;<br>His Excellency Mr. José de la Rica y Calvo, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary;<br>Mr. Gabriel Maura y Gamazo, Count de la Mortera, Deputy to the Cortes, delegate plenipotentiary;<br>Mr. J. Jofre Montojo, Colonel on the Staff, Aide-de-camp to the Minister of War, assistant military delegate;<br>Captain Francisco Chacon, assistant naval delegate. |
| France. | For France:<br>Mr. Léon Bourgeois, ex-President of Council, ex-Minister | France:<br>His Excellency Mr. Léon Bourgeois, Ambassador Extraor- |

**1899**

for Foreign Affairs, member of the Chamber of Deputies, first delegate, plenipotentiary;

Mr. Georges Bihourd, Envoy Extraordinary and Minister Plenipotentiary at The Hague, second delegate, plenipotentiary;

The Baron d'Estournelles de Constant, Minister Plenipotentiary, member of the Chamber of Deputies, third delegate, plenipotentiary;

Mr. Mounier, General of Brigade, technical delegate.

Mr. Péphau, Rear-Admiral, technical delegate;

Mr. Louis Renault, professor at the Faculty of Law at Paris, Legal Adviser to the Ministry for Foreign Affairs, technical delegate.

**1907**

dinary, Senator, ex-President of the Council, ex-Minister for Foreign Affairs, member of the Permanent Court of Arbitration, delegate, first plenipotentiary;

Baron d'Estournelles de Constant, Senator, Minister Plenipotentiary of the First Class, member of the Permanent Court of Arbitration, delegate, second plenipotentiary;

Mr. Louis Renault, professor at the Faculty of Law at Paris, Honorary Minister Plenipotentiary, Legal Adviser to the Ministry for Foreign Affairs, member of the Institute, member of the Permanent Court of Arbitration, delegate, third plenipotentiary;

His Excellency Mr. Marcellin Pellet, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate, fourth plenipotentiary;

General of Division Amourel, military delegate;

Rear-Admiral Arago, naval delegate;

Mr. Fromageot, advocate at the Court of Appeal at Paris, technical delegate;

Captain Lacaze, second naval delegate;

Lieutenant Colonel Siben, Military Attaché at Brussels and The Hague, second military delegate.

| 1899 | 1907 |
| --- | --- |
| Great Britain. For Great Britain and Ireland: | Great Britain: |
| His Excellency the Right Honorable Sir Julian Pauncefote, member of Her Majesty's Privy Council, Ambassador Extraordinary and Plenipotentiary of the United Kingdom at Washington, first delegate, plenipotentiary; | His Excellency the Right Honorable Sir Edward Fry, G.C.B., member of the Privy Council, Ambassador Extraordinary, member of the Permanent Court of Arbitration, delegate plenipotentiary; |
| Sir Henry Howard, Envoy Extraordinary and Minister Plenipotentiary at The Hague, second delegate, plenipotentiary; | His Excellency the Right Honorable Sir Ernest Mason Satow, G.C.M.G., member of the Privy Council, member of the Permanent Court of Arbitration, delegate plenipotentiary; |
| Sir John A. Fisher, Vice-Admiral, technical delegate; | His Excellency the Right Honorable Lord Reay, G.C.S.I., G.C.I.E., member of the Privy Council, ex-president of the Institute of International Law, delegate plenipotentiary; |
| Sir J. C. Ardagh, Major General, technical delegate; | His Excellency Sir Henry Howard, K.C.M.G., C.B., Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary; |
| Lieutenant Colonel C. à Court, Military Attaché at Brussels and The Hague, assistant technical delegate. | Lieutenant General Sir Edmond R. Elles, G.C.I.E., K.C.B., military delegate; |
| | Captain C. L. Ottley, M.V.O., R.N., A.D.C., naval delegate; |
| | Mr. Eyre Crowe, Counselor of Embassy, technical delegate, first secretary to the delegation; |
| | Mr. Cecil Hurst, Counselor of Embassy, technical delegate, |

| 1899 | 1907 | |
|---|---|---|
| | legal adviser to the delegation;<br>Lieutenant Colonel the Honorable Henry Yarde-Buller, D.S.O., Military Attaché at The Hague, technical delegate;<br>Commander J. R. Segrave, R. N., technical delegate;<br>Major George K. Cockerill, General Staff, technical delegate. | |
| For Greece:<br>Mr. N. Delyannis, ex-President of the Council, ex-Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary at Paris, delegate plenipotentiary. | Greece:<br>His Excellency Mr. Cléon Rizo Rangabé, Envoy Extraordinary and Minister Plenipotentiary at Berlin, first delegate plenipotentiary;<br>Mr. Georges Streit, professor of international law at the University of Athens, member of the Permanent Court of Arbitration, second delegate plenipotentiary;<br>Colonel of Artillery C. Sapountzakis, Chief of the General Staff, technical delegate. | Greece. |
| | Guatemala:<br>Mr. José Tible Machado, Chargé d'Affaires at The Hague and London, member of the Permanent Court of Arbitration, delegate plenipotentiary;<br>Mr. Enrique Gomez Carrillo, Chargé d'Affaires at Berlin, delegate plenipotentiary. | Guatemala. |
| | The Republic of Haiti:<br>His Excellency Mr. Jean Joseph | Haití. |

| 1899 | 1907 |
| --- | --- |
| | Dalbémar, Envoy Extraordinary and Minister Plenipotentiary at Paris, delegate plenipotentiary; |
| | His Excellency Mr. J. N. Léger, Envoy Extraordinary and Minister Plenipotentiary at Washington, delegate plenipotentiary; |
| | Mr. Pierre Hudicourt, ex-professor of international public law, advocate at the bar of Port au Prince, delegate plenipotentiary. |
| Italy. For Italy: | Italy: |
| His Excellency Count Nigra, Italian Ambassador at Vienna, Senator of the Kingdom, first delegate, plenipotentiary; | His Excellency Count Joseph Tornielli Brusati di Vergano, Senator of the Kingdom, Ambassador of His Majesty the King at Paris, member of the Permanent Court of Arbitration, president of the Italian delegation, delegate plenipotentiary; |
| Count A. Zannini, Envoy Extraordinary and Minister Plenipotentiary at The Hague, second delegate, plenipotentiary; | His Excellency Mr. Guido Pompilj, Parliamentary Deputy, Under-Secretary of State at the Royal Ministry for Foreign Affairs, delegate plenipotentiary; |
| The Chevalier Guido Pompilj, Deputy in the Italian Parliament, third delegate, plenipotentiary; | Mr. Guido Fusinato, Councilor of State, Parliamentary Deputy, ex-Minister of Education, delegate plenipotentiary; |
| The Chevalier Louis Zuccari, Major General, technical delegate; | Mr. Marius Nicolis de Robilant, General of Brigade, technical delegate; |
| The Chevalier Auguste Bianco, Captain, Naval Attaché to the Royal Embassy at London, technical delegate. | Mr. François Castiglia, Captain in the Navy, technical delegate. |

| 1899 | 1907 | |
|---|---|---|
| For Japan: | Japan: | Japan. |
| The Baron Hayashi, Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg, first delegate, plenipotentiary; | His Excellency Mr. Keiroku Tsudzuki, Ambassador Extraordinary and Plenipotentiary, first delegate plenipotentiary; | |
| Mr. I. Motono, Envoy Extraordinary and Minister Plenipotentiary at Brussels, second delegate, plenipotentiary; | His Excellency Mr. Aimaro Sato, Envoy Extraordinary and Minister Plenipotentiary at The Hague, second delegate plenipotentiary; | |
| Colonel Uyehara, technical delegate; | Mr. Henry Willard Denison, Legal Adviser to the Imperial Ministry for Foreign Affairs, member of the Permanent Court of Arbitration, technical delegate; | |
| Captain Sakamoto, Japanese Navy, technical delegate; | Major General Yoshifuru Akiyama, Inspector of Cavalry, technical delegate; | |
| Mr. Nagao Ariga, professor of international law at the Superior Military School and the Naval School of Tokio, technical delegate. | Rear-Admiral Hayao Shimamura, president of the Naval College at Etajima, technical delegate. | |
| For Luxemburg: | Luxemburg: | Luxemburg. |
| His Excellency Mr. Eyschen, Minister of State, President of the Grand Ducal Government, delegate plenipotentiary; | His Excellency Mr. Eyschen, Minister of State, President of the Grand Ducal Government, delegate plenipotentiary; | |
| The Count de Villers, Chargé d'Affaires at Berlin, delegate plenipotentiary. | Count de Villers, Charge d'Affaires at Berlin, delegate plenipotentiary. | |
| For the United States of Mexico:[1] | Mexico: | Mexico. |
| Mr. de Mier, Envoy Extraordinary and Minister Plenipo- | His Excellency Mr. Gonzalo A. Esteva, Envoy Extraordinary | |

[1]See footnote on p. 2.

| 1899 | 1907 |
| --- | --- |
| tentiary at Paris, delegate plenipotentiary; | and Minister Plenipotentiary at Rome, first delegate plenipotentiary; |
| Mr. Zenil, Minister Resident at Brussels, delegate plenipotentiary. | His Excellency Mr. Sebastian B. de Mier, Envoy Extraordinary and Minister Plenipotentiary at Paris, second delegate plenipotentiary; |
| | His Excellency Mr. Francisco L. de la Barra, Envoy Extraordinary and Minister Plenipotentiary at Brussels and at The Hague, third delegate plenipotentiary. |
| Montenegro. For Montenegro: | Montenegro: |
| His Excellency Mr. de Staal, Privy Councilor, Russian Ambassador at London, delegate plenipotentiary. | His Excellency Mr. Nélidow, Privy Councilor, Russian Ambassador at Paris, delegate plenipotentiary; |
| | His Excellency Mr. de Martens, Privy Councilor, permanent member of the Council of the Imperial Russian Ministry for Foreign Affairs, delegate plenipotentiary; |
| | His Excellency Mr. Tcharykow, Councilor of State, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary of Russia at The Hague, delegate plenipotentiary. |
| Nicaragua. | Nicaragua: |
| | His Excellency Mr. Crisanto Medina, Envoy Extraordinary and Minister Plenipotentiary at Paris, delegate plenipotentiary. |

| 1899 | 1907 | |
|---|---|---|
| | Norway:[1] | Norway. |
| | His Excellency Mr. Francis Hagerup, ex-President of the Council, ex-professor of law, member of the Permanent Court of Arbitration, Envoy Extraordinary and Minister Plenipotentiary at The Hague and Copenhagen, delegate plenipotentiary; | |
| | Mr. Joachim Grieg, ship-owner and Deputy, technical delegate; | |
| | Mr. Christian Lous Lang, Secretary to the Nobel Committee of the Norwegian Storthing, technical delegate. | |
| | Panama: | Panama. |
| | Mr. Belisario Porras, delegate plenipotentiary. | |
| | Paraguay: | Paraguay. |
| | His Excellency Mr. Eusebio Machain, Envoy Extraordinary and Minister Plenipotentiary at Paris, delegate plenipotentiary. | |
| For the Netherlands: | The Netherlands: | Netherlands. |
| Jonkheer A. P. C. van Karnebeek, ex-Minister for Foreign Affairs, member of the Second Chamber of the States-General, delegate plenipotentiary; | Mr. W. H. de Beaufort, ex-Minister for Foreign Affairs, member of the Second Chamber of the States-General, delegate plenipotentiary. | |
| General J. C. C. den Beer Poortugael, ex-Minister for War, member of the Council of | His Excellency Mr. T. M. C. Asser, Minister of State, member of the Council of State, member of the Perma- | |

[1]Sweden and Norway constituted a Union until 1905. For their delegation to the First Conference, see p. 23.

1899

State, delegate plenipotentiary;

Mr. T. M. C. Asser, member of the Council of State, delegate plenipotentiary;

Mr. E. N. Rahusen, member of the First Chamber of the States-General, delegate plenipotentiary;

Captain A. P. Tadema, Chief of the Staff of the Netherland Marine, technical delegate.

1907

nent Court of Arbitration, delegate plenipotentiary;

His Excellency Jonkheer J. C. C. den Beer Poortugael, Lieutenant General on the retired list, ex-Minister of War, member of the Council of State, delegate plenipotentiary;

His Excellency Jonkheer J. A. Röell, Aide-de-camp to Her Majesty the Queen in Extraordinary Service, Vice-Admiral on the retired list, ex-Minister of Marine, delegate plenipotentiary;

Mr. J. A. Loeff, ex-Minister of Justice, member of the Second Chamber of the States-General, delegate plenipotentiary;

Mr. H. L. van Oordt, Lieutenant Colonel on the Staff, professor at the Higher Military College, technical delegate;

Jonkheer W. J. M. van Eysinga, Head of the Political Section at the Ministry for Foreign Affairs, assistant delegate;

Jonkheer H. A. van Karnebeek, Gentleman of the Chamber, Assistant Head of Department at the Colonial Office, assistant delegate;

Mr. H. G. Surie, Naval Lieutenant of the First Class, technical delegate.

| 1899 | 1907 | |
|---|---|---|
| | Peru:<br>His Excellency Mr. Carlos G. Candamo, Envoy Extraordinary and Minister Plenipotentiary at Paris and London, member of the Permanent Court of Arbitration, delegate plenipotentiary;<br>Mr. Gustavo de la Fuente, First Secretary of Legation at Paris, assistant delegate. | Peru. |
| For Persia:<br>Aide-de-Camp General Mirza Riza Khan (Arfa-ud-Dovleh), Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg and Stockholm, first delegate, plenipotentiary;<br>Mr. Mirza Samad Khan (Montazis-Saltaneh), Counselor of Legation at St. Petersburg, assistant delegate. | Persia:<br>His Excellency Samad Khan Momtas-es-Saltaneh, Envoy Extraordinary and Minister Plenipotentiary at Paris, member of the Permanent Court of Arbitration, delegate, first plenipotentiary;<br>His Excellency Mirza Ahmed Khan Sadig-ul-Mulkh, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary;<br>Mr. Hennebicq, Legal Adviser to the Minister for Foreign Affairs at Teheran, technical delegate. | Persia. |
| For Portugal:<br>The Count de Macedo, Peer of the Kingdom, ex-Minister of Marine and the Colonies, Envoy Extraordinary and Minister Plenipotentiary at Madrid, delegate plenipotentiary;<br>Mr. d'Ornellas Vasconcellos, Peer of the Kingdom, Envoy Extraordinary and Minister Plenipotentiary at St. Peters- | Portugal:<br>His Excellency the Marquis de Soveral, Councilor of State, Peer of the Realm, ex-Minister for Foreign Affairs, Envoy Extraordinary and Minister Plenipotentiary at London, Ambassador Extraordinary and Plenipotentiary, delegate plenipotentiary;<br>His Excellency Count de Sélir, | Portugal. |

| 1899 | 1907 |
| --- | --- |
| burg, delegate plenipotentiary; | Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary; |
| The Count de Sélir, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary; | His Excellency Mr. Alberto d'Oliveira, Envoy Extraordinary and Minister Plenipotentiary at Berne, delegate plenipotentiary; |
| Captain Augusto de Castilho, technical delegate; | Lieutenant Colonel Thomaz Antonio Garcia Rosado, General Staff, technical delegate; |
| Captain on the General Staff Ayres d'Ornellas, technical delegate. | Mr. Guilherme Ivens Ferraz, Lieutenant Commander in the Navy, technical delegate. |
| Roumania. For Roumania: | Roumania: |
| Mr. Alexandre Beldiman, Envoy Extraordinary and Minister Plenipotentiary at Berlin, first delegate, plenipotentiary; | His Excellency Mr. Alexandre Beldiman, Envoy Extraordinary and Minister Plenipotentiary at Berlin, first delegate plenipotentiary; |
| Mr. Jean N. Papiniu, Envoy Extraordinary and Minister Plenipotentiary at The Hague, second delegate, plenipotentiary; | His Excellency Mr. Edgard Mavrocordato, Envoy Extraordinary and Minister Plenipotentiary at The Hague, second delegate plenipotentiary; |
| Aide-de-Camp Colonel Constantin Coanda, Director of Artillery at the Ministry for War, technical delegate. | Captain Alexander Sturdza, General Staff, technical delegate. |
| Russia. For Russia: | Russia: |
| His Excellency Mr. de Staal, Privy Councilor, Russian Ambassador at London, delegate plenipotentiary; | His Excellency Mr. Nélidow, Privy Councilor, Russian Ambassador at Paris, delegate plenipotentiary; |
| Mr. de Martens, permanent member of the Council of the Imperial Ministry for For- | His Excellency Mr. de Martens, Privy Councilor, permanent member of the Council of the |

1899

eign Affairs, Privy Councilor, delegate plenipotentiary;

Mr. de Basily, Councilor of State, Chamberlain, Director of the First Department of the Imperial Ministry for Foreign Affairs, delegate plenipotentiary;

Mr. Raffalovich, Councilor of State, Agent in France of the Imperial Ministry for Finance, technical delegate;

Mr. Gilinsky, Colonel on the General Staff, technical delegate;

Count Barantzew, Colonel of Horse Artillery of the Guard, technical delegate;

Captain Schéine, Russian Naval Agent in France, technical delegate;

Mr. Ovtchinnikow, Naval Lieutenant, professor of jurisprudence, technical delegate.

1907

Imperial Ministry for Foreign Affairs, member of the Permanent Court of Arbitration, delegate plenipotentiary;

His Excellency Mr. Tcharykow, Councilor of State, Chamberlain, Envoy Extraordinary and Minister Plenipotentiary at The Hague, delegate plenipotentiary;

Mr. Prozor, Councilor of State, Chamberlain, Russian Minister at Rio de Janeiro, technical delegate;

Major General Yermolow, Military Attaché at London, technical delegate.

Colonel Michelson, Military Attaché at Berlin, technical delegate;

Captain Behr, Naval Attaché at London, technical delegate;

Colonel Ovtchinnikow, of the Admiralty, professor of international law at the Naval Academy, technical delegate.

Salvador: Salvador.

Mr. Pedro J. Matheu, Chargé d'Affaires at Paris, member of the Permanent Court of Arbitration, delegate plenipotentiary;

Mr. Santiago Perez Triana, Chargé d'Affaires at London, member of the Permanent Court of Arbitration, delegate plenipotentiary.

| | 1899 | 1907 |
|---|---|---|
| Serbia. | For Serbia:<br>Mr. Miyatovitch, Envoy Extraordinary and Minister Plenipotentiary at London and The Hague, delegate plenipotentiary;<br>Colonel Maschine, Envoy Extraordinary and Minister Plenipotentiary at Cettinjé, delegate plenipotentiary;<br>Dr. Voïslave Veljkovitch, professor on the Faculty of Law at Belgrade, assistant delegate. | Serbia:<br>His Excellency General Sava Grouïtch, President of the Council of State, delegate plenipotentiary;<br>His Excellency Mr. Milovan Milovanovitch, Envoy Extraordinary and Minister Plenipotentiary at Rome, member of the Permanent Court of Arbitration, delegate plenipotentiary;<br>His Excellency Mr. Michel Militchévitch, Envoy Extraordinary and Minister Plenipotentiary at London and The Hague, delegate plenipotentiary. |
| Siam. | For Siam:<br>His Excellency Phya Suriya Nuvatr, Envoy Extraordinary and Minister Plenipotentiary at St. Petersburg and Paris, first delegate, plenipotentiary;<br>His Excellency Phya Visuddha Suriya Sakdi, Envoy Extraordinary and Minister Plenipotentiary at The Hague and London, second delegate, plenipotentiary;<br>Mr. Ch. Corragioni d'Orelli, Counselor of Legation, third delegate;<br>Mr. Édouard Rolin, Siamese Consul General in Belgium, fourth delegate. | Siam:<br>Major General Mom Chatidej Udom, delegate plenipotentiary;<br>Mr. Corragioni d'Orelli, Counselor of Legation at Paris, delegate plenipotentiary;<br>Captain Luang Bhuvanarth Narübal, delegate plenipotentiary. |

| 1899 | 1907 | |
|---|---|---|
| For Sweden and Norway: | Sweden: | Sweden. |
| The Baron de Bildt, Envoy Extraordinary and Minister Plenipotentiary at the Royal Court of Italy, delegate plenipotentiary. | His Excellency Mr. Knut Hjalmar Leonard de Hammarskjöld, Envoy Extraordinary and Minister Plenipotentiary at Copenhagen, ex-Minister of Justice, member of the Permanent Court of Arbitration, first delegate plenipotentiary; | |
| *Sweden:* | | |
| Colonel P. H. E. Brändström, Chief of First Regiment of Grenadiers of the Guard, technical delegate; | Mr. Johannes Hellner, ex-Minister without Portfolio, ex-member of the Supreme Court of Sweden, member of the Permanent Court of Arbitration, second delegate plenipotentiary. | |
| Captain C. A. M. de Hjulhammar, Swedish Navy, technical delegate. | Colonel David Hedengren, Commanding a Regiment of Artillery, technical delegate; | |
| *Norway:* | Commander Gustaf de Klint, Head of a Section on the Staff of the Royal Navy, technical delegate. | |
| Mr. W. Konow, President of the Odelsting, technical delegate; | | |
| Major General J. J. Thaulow, Surgeon General of the Army and Navy, technical delegate. | | |
| For Switzerland: | Switzerland: | Switzerland. |
| Dr. Arnold Roth, Envoy Extraordinary and Minister Plenipotentiary at Berlin, delegate plenipotentiary; | His Excellency Mr. Gaston Carlin, Envoy Extraordinary and Minister Plenipotentiary at London and The Hague, delegate plenipotentiary; | |
| Colonel Arnold Künzli, National Councilor, delegate; | Mr. Eugène Borel, Colonel on the General Staff, professor at the University of Geneva, delegate plenipotentiary; | |
| Mr. Édouard Odier, National Councilor, delegate plenipotentiary. | Mr. Max Huber, professor of law at the University of Zürich, delegate plenipotentiary. | |

| 1899 | 1907 |
| --- | --- |
| Turkey. For Turkey: | Turkey: |
| His Excellency Turkhan Pasha, ex-Minister for Foreign Affairs, member of the Council of State, first delegate, plenipotentiary; | His Excellency Turkhan Pasha, Ambassador Extraordinary, Minister of the Evkaf, first delegate plenipotentiary; |
| Noury Bey, Secretary General to the Ministry for Foreign Affairs, delegate plenipotentiary; | His Excellency Rechid Bey, Turkish Ambassador at Rome, delegate plenipotentiary; |
| Abdullah Pasha, General of Division of the Staff, delegate plenipotentiary; | His Excellency Vice-Admiral Mehemed Pasha, delegate plenipotentiary; |
| Mehemed Pasha, Rear-Admiral, delegate plenipotentiary. | Raïf Bey, Legal Adviser on the Civil List, assistant delegate; |
| | Colonel on the Staff Mehemmed Saïd Bey, assistant delegate. |
| Uruguay. | Uruguay: |
| | Mr. José Batlle y Ordonez, ex-President of the Republic, member of the Permanent Court of Arbitration, first delegate plenipotentiary; |
| | His Excellency Mr. Juan P. Castro, ex-President of the Senate, Envoy Extraordinary and Minister Plenipotentiary at Paris, member of the Permanent Court of Arbitration, delegate plenipotentiary; |
| | Colonel Sebastian Buquet, Commanding a Regiment of Field Artillery, technical delegate. |
| Venezuela. | The United States of Venezuela: |
| | Mr. José Gil Fortoul, Chargé d'Affaires at Berlin, delegate plenipotentiary. |

## 1899

In a series of meetings, between the 18th May and the 29th July, 1899, in which the constant desire of the delegates above-mentioned has been to realize, in the fullest manner possible, the generous views of the august initiator of the Conference and the intentions of their Governments, the Conference has agreed, for submission for signature by the plenipotentiaries, on the text of the Conventions and Declarations enumerated below and annexed to the present Act:

I. Convention for the peaceful adjustment of international differences.

II. Convention regarding the laws and customs of war on land.

## 1907

Preamble.

At a series of meetings, held from the 15th June to the 18th October, 1907, in which the above delegates were throughout animated by the desire to realize, in the fullest possible measure, the generous views of the august initiator of the Conference and the intentions of their Governments, the Conference drew up, for submission for signature by the plenipotentiaries, the text of the Conventions and of the Declaration enumerated below and annexed to the present Act:

Conventions: Pacific settlements.

I. Convention for the pacific settlement of international disputes.

Contract debts.

II. Convention respecting the limitation of the employment of force for the recovery of contract debts.

Opening of hostilities.

III. Convention relative to the opening of hostilities.

Land warfare.

IV. Convention respecting the laws and customs of war on land.

Neutrals in war on land.

V. Convention respecting the rights and duties of neutral powers and persons in case of war on land.

Enemy merchant ships.

VI. Convention relative to the status of enemy merchant ships at the outbreak of hostilities.

Conversion.

VII. Convention relative to the conversion of merchant ships into war-ships.

| | 1899 | 1907 |
|---|---|---|
| Submarine mines. | | VIII. Convention relative to the laying of automatic submarine contact mines. |
| Naval bombardment. | | IX. Convention respecting bombardment by naval forces in time of war. |
| Geneva Convention. | III. Convention for the adaptation to maritime warfare of the principles of the Geneva Convention of the 22d August, 1864. | X. Convention for the adaptation to naval war of the principles of the Geneva Convention. |
| Capture in naval war. | | XI. Convention relative to certain restrictions with regard to the exercise of the right of capture in naval war. |
| Prize Court. | | XII. Convention relative to the creation of an International Prize Court. |
| Neutrals in naval war. | | XIII. Convention concerning the rights and duties of neutral Powers in naval war. |
| Declarations: | IV. Three Declarations: | |
| Projectiles from balloons. | 1. To prohibit the launching of projectiles and explosives from balloons or by other similar new methods. | XIV. Declaration prohibiting the discharge of projectiles and explosives from balloons. |
| Asphyxiating gases. | 2. To prohibit the use of projectiles, the only object of which is the diffusion of asphyxiating or deleterious gases. | |
| Expanding bullets. | 3. To prohibit the use of bullets which expand or flatten easily in the human body, such as bullets with a hard envelope, of which the envelope does not entirely cover the core or is pierced with incisions. | |

**1899**

These Conventions and Declarations shall form so many separate Acts. These Acts shall be dated this day, and may be signed up to the 31st December, 1899, by the plenipotentiaries of the Powers represented at the International Peace Conference at The Hague.

**1907**

Signing of above.

These Conventions and Declarations shall form so many separate Acts. These Acts shall be dated this day, and may be signed up to the 30th June, 1908, at The Hague, by the plenipotentiaries of the Powers represented at the Second Peace Conference.

The Conference, actuated by the spirit of mutual agreement and concession characterizing its deliberations, has agreed upon the following Declaration, which, while reserving to each of the Powers represented full liberty of action, as regards voting, enables them to affirm the principles which they regard as unanimously admitted:

Declaration respecting obligatory arbitration.

It is unanimous—

1. In admitting the principle of compulsory arbitration.

2. In declaring that certain disputes, in particular those relating to the interpretation and application of the provisions of international agreements, may be submitted to compulsory arbitration without any restriction.

Finally, it is unanimous in proclaiming that, although it has not yet been found feasible to conclude a Convention in this sense, nevertheless the divergences of opinion which have come to light have not exceeded the bounds of judicial controversy, and that, by

1899

Guided by the same sentiments, the Conference has adopted unanimously the following Resolution:

Resolution respecting limitation of military expenditure.

The Conference is of opinion that the restriction of military charges, which are at present a heavy burden on the world, is extremely desirable for the increase of the material and moral welfare of mankind.

*Vœux.*

It has besides formulated the following *Vœux:*

1. (1899) Revision of Geneva Convention. (1907) Judicial Arbitration Court.

1. The Conference, taking into consideration the preliminary step taken by the Swiss Federal Government for the revision of the Geneva Convention, expresses the wish that steps may be shortly taken for the assembly of a special Conference having for its object the revision of that Convention.

This wish was voted unanimously.

1907

working together here during the past four months, the collected Powers not only have learnt to understand one another and to draw closer together, but have succeeded in the course of this long collaboration in evolving a very lofty conception of the common welfare of humanity.

The Conference has further unanimously adopted the following Resolution:

The Second Peace Conference confirms the Resolution adopted by the Conference of 1899 in regard to the limitation of military expenditure; and inasmuch as military expenditure has considerably increased in almost every country since that time, the Conference declares that it is eminently desirable that the Governments should resume the serious examination of this question.

It has besides expressed the following *Vœux:*

1. The Conference recommends to the signatory Powers the adoption of the annexed draft Convention[1] for the creation of a Judicial Arbitration Court, and the bringing it into force as soon as an agreement has been reached respecting the selection of the judges and the constitution of the Court.

[1] *Post*, p. 31.

| 1899 | 1907 | |
|---|---|---|
| 2. The Conference expresses the wish that the questions of the rights and duties of neutrals may be inserted in the program of a Conference in the near future. | 2. The Conference expresses the opinion that, in case of war, the responsible authorities, civil as well as military, should make it their special duty to ensure and safeguard the maintenance of pacific relations, more especially of the commercial and industrial relations between the inhabitants of the belligerent States and neutral countries. | 2. (1899) Rights and duties of neutrals, (1907) Maintenance of relations between belligerents and neutrals. |
| 3. The Conference expresses the wish that the questions with regard to rifles and naval guns, as considered by it, may be studied by the Governments with the object of coming to an agreement respecting the employment of new types and calibers. | 3. The Conference expresses the opinion that the Powers should regulate, by special treaties, the position, as regards military charges, of foreigners residing within their territories. | 3. (1899) Types and calibers of guns. (1907) Military charges on resident aliens. |
| 4. The Conference expresses the wish that the Governments, taking into consideration the proposals made at the Conference, may examine the possibility of an agreement as to the limitation of armed forces by land and sea, and of war budgets. | 4. The Conference expresses the opinion that the preparation of regulations relative to the laws and customs of naval war should figure in the program of the next Conference, and that in any case the Powers may apply, as far as possible, to war by sea the principles of the Convention relative to the laws and customs of war on land. | 4. (1899) Limitation of armed forces and budgets. (1907) Laws and customs of naval war. |
| 5. The Conference expresses the wish that the proposal, which contemplates the declaration of the inviolability of private property in naval warfare, | Finally, the Conference recommends to the Powers the assembly of a Third Peace Conference, which might be held within a period corresponding to that | 5. (1899) Private property in naval war. (1907) Third Peace Conference. |

1899

may be referred to a subsequent Conference for consideration.

6. (1899) Naval bombardment of ports, etc.

6. The Conference expresses the wish that the proposal to settle the question of the bombardment of ports, towns, and villages by a naval force may be referred to a subse-

1907

which has elapsed since the preceding Conference, at a date to be fixed by common agreement between the Powers, and it calls their attention to the necessity of preparing the program of this Third Conference a sufficient time in advance to ensure its deliberations being conducted with the necessary authority and expedition.

In order to attain this object the Conference considers that it would be very desirable that, some two years before the probable date of the meeting, a preparatory committee should be charged by the Governments with the task of collecting the various proposals to be submitted to the Conference, of ascertaining what subjects are ripe for embodiment in an international regulation, and of preparing a program which the Governments should decide upon in sufficient time to enable it to be carefully examined by the countries interested. This committee should further be intrusted with the task of proposing a system of organization and procedure for the Conference itself.

341.1 H197is cop.3



| 1899 | 1907 | |
|---|---|---|
| quent Conference for consideration. | | |
| The last five wishes were voted unanimously, saving some abstentions. | | |
| In faith of which, the plenipotentiaries have signed the present Act, and have affixed their seals thereto. | In faith whereof the Plenipotentiaries have signed the present Act and have affixed their seals thereto. | Signing. |
| Done at The Hague, 29th July, 1899, in one copy only, which shall be deposited in the Ministry for Foreign Affairs, and of which copies, duly certified, shall be delivered to all the Powers represented at the Conference. | Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the achives of the Netherland Government, and duly certified copies of which shall be sent to all the Powers represented at the Conference. | Deposit of original.<br>Certified copies to Powers. |
| [Here follow signatures.] | [Here follow signatures.] | |

*Annex to the First Vœu*[1] *of the Second Peace Conference*

## DRAFT CONVENTION RELATIVE TO THE CREATION OF A JUDICIAL ARBITRATION COURT

### PART I.— *Constitution of the Judicial Arbitration Court*

Constitution of Court.

#### ARTICLE 1

With a view to promoting the cause of arbitration, the contracting Powers agree to constitute, without altering the status of the Permanent Court of Arbitration,[2] a Judicial Arbitration Court, of free and easy access, composed of judges representing the various juridical systems of the world, and capable of insuring continuity in arbitral jurisprudence.

Status of Permanent Court of Arbitration not altered.

#### ARTICLE 2

The Judicial Arbitration Court is composed of judges and deputy judges chosen from persons of the highest moral reputation, and all

Qualifications of members of Court.

[1] *Ante*, p. 28.
[2] *Post*, p. 57.

558444

fulfilling conditions qualifying them, in their respective countries, to occupy high legal posts, or be jurists of recognized competence in matters of international law.

The judges and deputy judges of the Court are appointed, as far as possible, from the members of the Permanent Court of Arbitration. The appointment shall be made within the six months following the ratification of the present Convention.

### Article 3

Term of service.

The judges and deputy judges are appointed for a period of twelve years, counting from the date on which the appointment is notified to the Administrative Council[1] created by the Convention for the pacific settlement of international disputes. Their appointments can be renewed.

Vacancies.

Should a judge or deputy judge die or retire, the vacancy is filled in the manner in which his appointment was made. In this case, the appointment is made for a fresh period of twelve years.

### Article 4

Rank of members.

The judges of the Judicial Arbitration Court are equal and rank according to the date on which their appointment was notified. The judge who is senior in point of age takes precedence when the date of notification is the same.

The deputy judges are assimilated, in the exercise of their functions, with the judges. They rank, however, below the latter.

### Article 5

Diplomatic privileges and immunities.

The judges enjoy diplomatic privileges and immunities in the exercise of their functions, outside their own country.

Before taking their seat, the judges and deputy judges must, before the Administrative Council, swear or make a solemn affirmation to exercise their functions impartially and conscientiously.

### Article 6

Special delegation.

The Court annually nominates three judges to form a special delegation and three more to replace them should the necessity arise. They may be reelected. They are balloted for. The persons who

[1] *Post*, p. 62.

secure the largest number of votes are considered elected. The delegation itself elects its president, who, in default of a majority, is appointed by lot.

A member of the delegation can not exercise his duties when the Power which appointed him, or of which he is a national, is one of the parties.

The members of the delegation are to conclude all matters submitted to them, even if the period for which they have been appointed judges has expired.

### Article 7

Disqualification of a judge.

A judge may not exercise his judicial functions in any case in which he has, in any way whatever, taken part in the decision of a national tribunal, of a tribunal of arbitration, or of a commission of inquiry, or has figured in the suit as counsel or advocate for one of the parties.[1]

A judge can not act as agent or advocate before the Judicial Arbitration Court or the Permanent Court of Arbitration, before a special tribunal of arbitration or a commission of inquiry, nor act for one of the parties in any capacity whatsoever so long as his appointment lasts.

### Article 8

Court elects its president and vice-president.

The Court elects its president and vice-president by an absolute majority of the votes cast. After two ballots, the election is made by a bare majority and, in case the votes are even, by lot.

### Article 9

Compensation of judges.

The judges of the Judicial Arbitration Court receive an annual salary of 6,000 Netherland florins. This salary is paid at the end of each half-year, reckoned from the date on which the Court meets for the first time.

In the exercise of their duties during the sessions or in the special cases covered by the present Convention, they receive the sum of 100 florins *per diem*. They are further entitled to receive a traveling allowance fixed in accordance with regulations existing in their own country. The provisions of the present paragraph are applicable also to a deputy judge when acting for a judge.

These emoluments are included in the general expenses of the Court dealt with in Article 31, and are paid through the International Bureau[2]

---

[1] Cf. Article 18, *post*, p. 35.
[2] *Post*, p. 57.

created by the Convention for the pacific settlement of international disputes.

ARTICLE 10

The judges may not accept from their own Government or from that of any other Power any remuneration for services connected with their duties in their capacity of members of the Court.

ARTICLE 11

Seat of the Court.

The seat of the Judicial Court of Arbitration is at The Hague, and can not be transferred, unless absolutely obliged by circumstances, elsewhere.

The delegation may choose, with the assent of the parties concerned, another site for its meetings, if special circumstances render such a step necessary.

ARTICLE 12

Functions of Administrative Council.

The Administrative Council fulfils with regard to the Judicial Court of Arbitration the same functions as to the Permanent Court of Arbitration.

ARTICLE 13

Functions of International Bureau.

The International Bureau acts as registry to the Judicial Court of Arbitration, and must place its offices and staff at the disposal of the Court. It has charge of the archives and carries out the administrative work.

The secretary general of the Bureau discharges the functions of registrar.

Secretaries, etc., appointed by Court.

The necessary secretaries to assist the registrar, translators and shorthand writers are appointed and sworn in by the Court.

ARTICLE 14

Sessions.

The Court meets in session once a year. The session opens the third Wednesday in June and lasts until all the business on the agenda has been transacted.

The Court does not meet in session if the delegation considers that such meeting is unnecessary. However, when a Power is party in a case actually pending before the Court, the pleadings in which are closed, or about to be closed, it may insist that the session should be held.

When necessary, the delegation may summon the Court in extraordinary session.

ARTICLE 15

A report of the doings of the Court shall be drawn up every year by the delegation. This report shall be forwarded to the contracting Powers through the International Bureau. It shall also be communicated to the judges and deputy judges of the Court. Report.

ARTICLE 16

The judges and deputy judges, members of the Judicial Arbitration Court, can also exercise the functions of judge and deputy judge in the International Prize Court. Judges may exercise functions in International Prize Court.

PART II.—*Competency and Procedure* Competency and procedure.

ARTICLE 17

The Judicial Court of Arbitration is competent to deal with all cases submitted to it, in virtue either of a general undertaking to have recourse to arbitration or of a special agreement. Competency of Court.

ARTICLE 18

The delegation is competent— Competency of delegation.

1. To decide the arbitrations referred to in the preceding article, if the parties concerned are agreed that the summary procedure, laid down in Part IV, Chapter IV, of the Convention for the pacific settlement of international disputes is to be applied;

2. To hold an inquiry under and in accordance with Part III of the said Convention, in so far as the delegation is intrusted with such inquiry by the parties acting in common agreement. With the assent of the parties concerned, and as an exception to Article 7, paragraph 1, the members of the delegation who have taken part in the inquiry may sit as judges, if the case in dispute is submitted to the arbitration of the Court or of the delegation itself.

ARTICLE 19

The delegation is also competent to settle the *compromis* referred to in Article 52 of the Convention for the pacific settlement of international disputes if the parties are agreed to leave it to the Court. Delegation may draw up *compromis* if parties agree;

It is equally competent to do so, even when the request is only made by one of the parties concerned, if all attempts have failed to reach an understanding through the diplomatic channel, in the case of—

or in case of a dispute governed by a general treaty;

1. A dispute covered by a general treaty of arbitration concluded or renewed after the present Convention has come into force, providing for a *compromis* in all disputes, and not either explicitly or implicitly excluding the settlement of the *compromis* from the competence of the delegation. Recourse can not, however, be had to the Court if the other party declares that in its opinion the dispute does not belong to the category of questions to be submitted to compulsory arbitration, unless the treaty of arbitration confers upon the arbitration tribunal the power of deciding this preliminary question.

or of one originating from contract debts.

2. A dispute arising from contract debts claimed from one Power by another Power as due to its nationals, and for the settlement of which the offer of arbitration has been accepted. This arrangement is not applicable if acceptance is subject to the condition that the *compromis* should be settled in some other way.

## Article 20

Parties may nominate judges.

Each of the parties concerned may nominate a judge of the Court to take part, with power to vote, in the examination of the case submitted to the delegation.

If the delegation acts as a commission of inquiry, this task may be intrusted to persons other than the judges of the Court. The traveling expenses and remuneration to be given to the said persons are fixed and borne by the Powers appointing them.

## Article 21

Contracting Powers only to have access to Court.

The contracting Powers only may have access to the Judicial Arbitration Court set up by the present Convention.

## Article 22

Rules of procedure.

The Judicial Court of Arbitration follows the rules of procedure laid down in the Convention for the pacific settlement of international disputes, except in so far as the procedure is laid down in the present Convention.

### Article 23

Languages.

The Court determines what language it will itself use and what languages may be used before it.

### Article 24

International Bureau channel for communication.

The International Bureau serves as channel for all communications to be made to the judges during the interchange of pleadings provided for in Article 63, paragraph 2, of the Convention for the pacific settlement of international disputes.

### Article 25

Notices to be served.

For all notices to be served, in particular on the parties, witnesses, or experts, the Court may apply direct to the Government of the State on whose territory the service is to be carried out. The same rule applies in the case of steps being taken to procure evidence.

The requests addressed for this purpose can only be rejected when the Power applied to considers them likely to impair its sovereign rights or its safety. If the request is complied with, the fees charged must only comprise the expenses actually incurred.

The Court is equally entitled to act through the Power on whose territory it sits.

Notices to be given to parties in the place where the Court sits may be served through the International Bureau.

### Article 26

Control of discussions.

The discussions are under the control of the president or vice-president, or, in case they are absent or can not act, of the senior judge present.

The judge appointed by one of the parties can not preside.

### Article 27

Decisions and proceedings.

The Court considers its decisions in private, and the proceedings are secret.

Decisions by majority.

All decisions are arrived at by a majority of the judges present. If the number of judges is even and equally divided, the vote of the junior judge, in the order of precedence laid down in Article 4, paragraph 1, is not counted.

### Article 28

Requisites of judgment.

The judgment of the Court must give the reasons on which it is based. It contains the names of the judges taking part in it; it is signed by the president and registrar.

### Article 29

Payment of costs.

Each party pays its own costs and an equal share of the costs of the trial.

### Article 30

Articles 21 and 29 applicable to procedure before delegation.

The provisions of Articles 21 to 29 are applicable by analogy to the procedure before the delegation.

When the right of attaching a member to the delegation has been exercised by one of the parties only, the vote of the member attached is not recorded if the votes are evenly divided.

### Article 31

Expenses of Court.

The general expenses of the Court are borne by the contracting Powers.

The Administrative Council applies to the Powers to obtain the funds requisite for the working of the Court.

### Article 32

Rules of procedure.

The Court itself draws up its own rules of procedure, which must be communicated to the contracting Powers.

After the ratification of the present Convention the Court shall meet as early as possible in order to elaborate these rules, elect the president and vice-president, and appoint the members of the delegation.

### Article 33

Modifications in provisions respecting procedure.

The Court may propose modifications in the provisions of the present Convention concerning procedure. These proposals are communicated through the Netherland Government to the contracting Powers, which will consider together as to the measures to be taken.

## PART III.—*Final Provisions*

Final provisions.

### ARTICLE 34

Ratification.

The present Convention shall be ratified as soon as possible.

Deposit at The Hague.

The ratifications shall be deposited at The Hague.

A *procès-verbal* of the deposit of each ratification shall be drawn up, of which a duly certified copy shall be sent through the diplomatic channel to all the signatory Powers.

### ARTICLE 35

Duration of Convention.

The Convention shall come into force six months after its ratification.

It shall remain in force for twelve years, and shall be tacitly renewed for periods of twelve years, unless denounced.

Denunciation.

The denunciation must be notified, at least two years before the expiration of each period, to the Netherland Government, which will inform the other Powers.

Notifying Power only affected.

The denunciation shall only have effect in regard to the notifying Power. The Convention shall continue in force as far as the other Powers are concerned.

---

### SIGNATURES AND RESERVATION[1]

**The 1899 Final Act** was signed by plenipotentiaries of all the Powers represented at the First Conference, to wit:

| | |
|---|---|
| Austria-Hungary | Montenegro |
| Belgium | Netherlands |
| Bulgaria | Persia |
| China | Portugal |
| Denmark | Roumania |
| France | Russia |
| Germany | Serbia |
| Great Britain | Siam |
| Greece | Spain |
| Italy | Sweden and Norway |
| Japan | Switzerland |
| Luxemburg | Turkey |
| Mexico | United States |

[1]The Final Acts, being summaries of the proceedings of the Conferences, are not conventional agreements and accordingly are not ratified.

**The 1907 Final Act** was signed by the above-mentioned Powers,[1] as well as by the following:

| | |
|---|---|
| Argentine Republic | Guatemala |
| Bolivia | Haiti |
| Brazil | Nicaragua |
| Chile | Panama |
| Colombia | Peru |
| Cuba | Salvador |
| Dominican Republic | Uruguay |
| Ecuador | Venezuela |

*Reservation:*[1]

Switzerland

Under reservation of *Vœu* No. 1, which the Swiss Federal Council does not accept.

[1]In 1907 Norway and Sweden signed as separate Powers.
[2]Reservation made at signature.

## THE HAGUE CONVENTIONS OF 1899 (I) AND 1907 (I) FOR THE PACIFIC SETTLEMENT OF INTERNATIONAL DISPUTES

### 1899

CONVENTION (I) for the pacific settlement of international disputes.—Signed at The Hague, July 29, 1899.

His Majesty the German Emperor, King of Prussia; [etc.]:

Animated by a strong desire to concert for the maintenance of the general peace;

Resolved to second by their best efforts the friendly settlement of international disputes;

Recognizing the solidarity which unites the members of the society of civilized nations;

Desirous of extending the empire of law and of strengthening the appreciation of international justice;

Convinced that the permanent institution of a Court of Arbitration, accessible to all, in the midst of the independent Powers, will contribute effectively to this result;

Having regard to the advantages attending the general and regular organization of arbitral procedure;

### 1907

CONVENTION (I) for the pacific settlement of international disputes.—Signed at The Hague, October 18, 1907.[1]

His Majesty the German Emperor, King of Prussia; [etc.]:

Animated by the sincere desire to work for the maintenance of general peace; Purpose of Convention.

Resolved to promote by all the efforts in their power the friendly settlement of international disputes;

Recognizing the solidarity uniting the members of the society of civilized nations;

Desirous of extending the empire of law and of strengthening the appreciation of international justice;

Convinced that the permanent institution of a tribunal of arbitration accessible to all, in the midst of independent Powers, will contribute effectively to this result;

Having regard to the advantages attending the general and regular organization of the procedure of arbitration;

---

[1]Italics indicate differences between the Conventions of 1899 and 1907.

| 1899 | 1907 |
| --- | --- |
| Sharing the opinion of the august initiator of the International Peace Conference that it is expedient to record in an international agreement the principles of equity and right on which are based the security of States and the welfare of peoples; | Sharing the opinion of the august initiator of the International Peace Conference that it is expedient to record in an international agreement the principles of equity and right on which are based the security of States and the welfare of peoples; |
| | Being desirous, *with this object, of insuring the better working in practice of commissions of inquiry and tribunals of arbitration, and of facilitating recourse to arbitration in cases which allow of a summary procedure;* |
| | *Have deemed it necessary to revise in certain particulars and to complete the work of the First Peace Conference for the pacific settlement of international disputes;* |
| Plenipotentiaries. Being desirous of concluding a Convention to this effect, have appointed as their plenipotentiaries, to wit: | *The high contracting Parties have resolved* to conclude a *new* Convention for this purpose, *and* have appointed the following as their plenipotentiaries: |
| [Here follow the names of plenipotentiaries.] | [Here follow the names of plenipotentiaries.] |
| Who, after communication of their full powers, found in good and due form, have agreed on the following provisions: | Who, after having *deposited* their full powers, found in good and due form, have agreed upon the following: |
| Maintenance of general peace. TITLE I.—ON THE MAINTENANCE OF THE GENERAL PEACE | PART I.—THE MAINTENANCE OF GENERAL PEACE |
| ARTICLE 1 | ARTICLE 1 |
| Peaceful settlement of differences. With a view to obviating, as far as possible, recourse to force in | With a view to obviating as far as possible recourse to force in the |

| 1899 | 1907 | |
|---|---|---|
| the relations between States, the signatory Powers agree to use their best efforts to insure the pacific settlement of international differences. | relations between States, the *contracting* Powers agree to use their best efforts to insure the pacific settlement of international differences. | |
| TITLE II.—ON GOOD OFFICES AND MEDIATION | PART II.—GOOD OFFICES AND MEDIATION | Good offices and mediation. |
| ARTICLE 2 | ARTICLE 2 | |
| In case of serious disagreement or conflict, before an appeal to arms, the signatory Powers agree to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly Powers. | In case of serious disagreement or dispute, before an appeal to arms, the *contracting* Powers agree to have recourse, as far as circumstances allow, to the good offices or mediation of one or more friendly Powers. | Recourse to good offices of friendly Powers. |
| ARTICLE 3 | ARTICLE 3 | |
| Independently of this recourse, the signatory Powers recommend that one or more Powers, strangers to the dispute, should, on their own initiative, and as far as circumstances may allow, offer their good offices or mediation to the States at variance. | Independently of this recourse, the *contracting* Powers deem it expedient *and desirable* that one or more Powers, strangers to the dispute, should, on their own initiative and as far as circumstances may allow, offer their good offices or mediation to the States at variance. | Offers of mediation. |
| Powers, strangers to the dispute, have the right to offer good offices or mediation, even during the course of hostilities. | Powers strangers to the dispute have the right to offer good offices or mediation even during the course of hostilities. | During hostilities. |
| The exercise of this right can never be regarded by one or the other of the parties in conflict as an unfriendly act. | The exercise of this right can never be regarded by either of the parties in dispute as an unfriendly act. | Not an unfriendly act. |

| 1899 | 1907 |
| --- | --- |
| ARTICLE 4 | ARTICLE 4 |
| Function of mediator. The part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen between the States at variance. | The part of the mediator consists in reconciling the opposing claims and appeasing the feelings of resentment which may have arisen between the States at variance. |
| ARTICLE 5 | ARTICLE 5 |
| End of mediator's functions. The functions of the mediator are at an end when once it is declared, either by one of the parties to the dispute, or by the mediator himself, that the means of reconciliation proposed by him are not accepted. | The functions of the mediator are at an end when once it is declared, either by one of the parties to the dispute or by the mediator himself, that the means of reconciliation proposed by him are not accepted. |
| ARTICLE 6 | ARTICLE 6 |
| Not binding. Good offices and mediation, either at the request of the parties at variance, or on the initiative of Powers strangers to the dispute, have exclusively the character of advice and never have binding force. | Good offices and mediation undertaken either at the request of the parties in dispute or on the initiative of Powers strangers to the dispute have exclusively the character of advice, and never have binding force. |
| ARTICLE 7 | ARTICLE 7 |
| War measures not interrupted. The acceptance of mediation can not, unless there be an agreement to the contrary, have the effect of interrupting, delaying or hindering mobilization or other measures of preparation for war. | The acceptance of mediation can not, unless there be an agreement to the contrary, have the effect of interrupting, delaying, or hindering mobilization or other measures of preparation for war. |
| If mediation occurs after the commencement of hostilities it causes no interruption to the military operations in progress, un- | If it takes place after the commencement of hostilities, the military operations in progress are not interrupted in the absence of |

| 1899 | 1907 | |
|---|---|---|
| less there be an agreement to the contrary. | an agreement to the contrary. | |
| ARTICLE 8 | ARTICLE 8 | |
| The signatory Powers are agreed in recommending the application, when circumstances allow, of special mediation in the following form: | The *contracting* Powers are agreed in recommending the application, when circumstances allow, of special mediation in the following form: | Special mediation. |
| In case of a serious difference endangering the peace, the States at variance choose respectively a Power, to whom they intrust the mission of entering into direct communication with the Power chosen on the other side, with the object of preventing the rupture of pacific relations. | In case of a serious difference endangering peace, the States at variance choose respectively a Power, to which they intrust the mission of entering into direct communication with the Power chosen on the other side, with the object of preventing the rupture of pacific relations. | Choosing mediators. |
| For the period of this mandate, the term of which, unless otherwise stipulated, can not exceed thirty days, the States in conflict cease from all direct communication on the subject of the dispute, which is regarded as referred exclusively to the mediating Powers, who must use their best efforts to settle it. | For the period of this mandate, the term of which, unless otherwise stipulated, can not exceed thirty days, the States in dispute cease from all direct communication on the subject of the dispute, which is regarded as referred exclusively to the mediating Powers, which must use their best efforts to settle it. | Direct communication to cease between States in dispute. |
| In case of a definite rupture of pacific relations, these Powers are charged with the joint task of taking advantage of any opportunity to restore peace. | In case of a definite rupture of pacific relations, these Powers are charged with the joint task of taking advantage of any opportunity to restore peace. | Efforts to restore peace |
| TITLE III.—ON INTERNATIONAL COMMISSIONS OF INQUIRY | PART III.—INTERNATIONAL COMMISSIONS OF INQUIRY | International commissions of inquiry. |
| ARTICLE 9 | ARTICLE 9 | |
| In differences of an international nature involving neither | In disputes of an international nature involving neither honor | Investigations of differences of opinion as to facts. |

| 1899 | 1907 |
| --- | --- |
| honor nor vital interests, and arising from a difference of opinion on points of fact, the signatory Powers recommend that the parties who have not been able to come to an agreement by means of diplomacy, should as far as circumstances allow, institute an international commission of inquiry, to facilitate a solution of these differences by elucidating the facts by means of an impartial and conscientious investigation. | nor vital interests, and arising from a difference of opinion on points of fact, the *contracting* Powers deem it expedient *and desirable* that the parties who have not been able to come to an agreement by means of diplomacy, should, as far as circumstances allow, institute an international commission of inquiry, to facilitate a solution of these disputes by elucidating the facts by means of an impartial and conscientious investigation. |
| ARTICLE 10 | ARTICLE 10 |
| Special agreements. The international commissions of inquiry are constituted by special agreement between the parties in conflict. | International commissions of inquiry are constituted by special agreement between the parties in dispute. |
| Extent of commission's jurisdiction. The convention for an inquiry defines the facts to be examined and the extent of the commissioners' powers. | The inquiry convention defines the facts to be examined; *it determines the mode and time in which the commission is to be formed* and the extent of the powers of the commissioners. |
| It settles the procedure. | *It also determines, if there is need, where the commission is to sit, and whether it may remove to another place, the language the commission shall use and the languages the use of which shall be authorized before it, as well as the date on which each party must deposit its statement of facts, and, generally speaking, all the conditions upon which the parties have agreed.* |
| Meetings, etc. On the inquiry both sides must be heard.[1] | |
| The form and the periods to be observed, if not stated in the inquiry convention, are decided by the commission itself. | |

[1]This provision appears in Article 19 of the 1907 Convention, *post*, p. 49.

1899

1907

*If the parties consider it necessary to appoint assessors, the convention of inquiry shall determine the mode of their selection and the extent of their powers.* Assessors.

ARTICLE 11

*If the inquiry convention has not determined where the commission is to sit, it will sit at The Hague.* Place of meeting, etc.

*The place of meeting, once fixed, can not be altered by the commission except with the assent of the parties.*

*If the inquiry convention has not determined what languages are to be employed, the question shall be decided by the commission.*

ARTICLE 11

The international commissions of inquiry are formed, unless otherwise stipulated, in the manner fixed by Article 32 of the present convention.

ARTICLE 12

Unless an undertaking is made to the contrary, commissions of inquiry shall be formed in the manner determined by Articles *45 and 57* of the present Convention. Formation.

ARTICLE 13

*Should one of the commissioners or one of the assessors, should there be any, either die, or resign, or be unable for any reason whatever to discharge his functions, the same procedure is followed for filling the vacancy as was followed for appointing him.* Filling vacancies.

1899

1907

Special agents.

ARTICLE 14

*The parties are entitled to appoint special agents to attend the commission of inquiry, whose duty it is to represent them and to act as intermediaries between them and the commission.*

Counsel.

*They are further authorized to engage counsel or advocates, appointed by themselves, to state their case and uphold their interests before the commission.*

ARTICLE 15

Assistance of International Bureau.

*The International Bureau of the Permanent Court of Arbitration acts as registry for the commissions which sit at The Hague, and shall place its offices and staff at the disposal of the contracting Powers for the use of the commission of inquiry.*

ARTICLE 16

Registry.

*If the commission meets elsewhere than at The Hague, it appoints a secretary general, whose office serves as registry.*

Functions.

*It is the function of the registry, under the control of the president, to make the necessary arrangements for the sittings of the commission, the preparation of the minutes, and, while the inquiry lasts, for the charge of the archives, which shall subsequently be transferred to the International Bureau at The Hague.*

1899

1907

ARTICLE 17

General rules of procedure.

*In order to facilitate the constitution and working of commissions of inquiry, the contracting Powers recommend the following rules, which shall be applicable to the inquiry procedure in so far as the parties do not adopt other rules.*

ARTICLE 18

Further details.

*The commission shall settle the details of the procedure not covered by the special inquiry convention or the present Convention, and shall arrange all the formalities required for dealing with the evidence.*

ARTICLE 19

Hearings.

On the inquiry both sides must be heard.[1]

*At the dates fixed, each party communicates to the commission and to the other party the statements of facts, if any, and, in all cases, the instruments, papers, and documents which it considers useful for ascertaining the truth, as well as the list of witnesses and experts whose evidence it wishes to be heard.*

ARTICLE 20

Change of meeting place.

*The commission is entitled with the assent of the Powers, to move temporarily to any place*

[1]See Article 10 of the 1899 Convention, *ante*, p. 46.

| 1899 | 1907 |
| --- | --- |
| | *where it considers it may be useful to have recourse to this means of inquiry or to send one or more of its members. Permission must be obtained from the State on whose territory it is proposed to hold the inquiry.* |
| | ARTICLE 21 |
| Presence at investigations. | *Every investigation, and every examination of a locality, must be made in the presence of the agents and counsel of the parties or after they have been duly summoned.* |
| | ARTICLE 22 |
| Explanations, etc. | *The commission is entitled to ask from either party for such explanations and information as it considers necessary.* |
| ARTICLE 12 | ARTICLE 23 |
| Presenting evidence. The Powers in dispute engage to supply the international commission of inquiry, as fully as they may think possible, with all means and facilities necessary to enable it to be completely acquainted with and to accurately understand the facts in question. | The *parties* undertake to supply the commission of inquiry, as fully as they may think possible, with all means and facilities necessary to enable it to become completely acquainted with, and to accurately understand, the facts in question. |
| Appearance of witnesses. | *They undertake to make use of the means at their disposal, under their municipal law, to insure the appearance of the witnesses or experts who are in their territory and have been summoned before the commission.* |

1899 1907

Depositions.

*If the witnesses or experts are unable to appear before the commission, the parties will arrange for their evidence to be taken before the qualified officials of their own country.*

ARTICLE 24

Serving notice in other countries.

*For all notices to be served by the commission in the territory of a third contracting Power, the commission shall apply direct to the Government of the said Power. The same rule applies in the case of steps being taken on the spot to procure evidence.*

*The requests for this purpose are to be executed so far as the means at the disposal of the Power applied to under its municipal law allow. They can not be rejected unless the Power in question considers they are calculated to impair its sovereign rights or its safety.*

*The commission will equally be always entitled to act through the Power on whose territory it sits.*

ARTICLE 25

Summoning witnesses.

*The witnesses and experts are summoned on the request of the parties or by the commission of its own motion, and, in every case, through the Government of the State in whose territory they are.*

1899

1907

Hearings.

*The witnesses are heard in succession and separately, in the presence of the agents and counsel, and in the order fixed by the commission.*

ARTICLE 26

Examination of witnesses.

*The examination of witnesses is conducted by the president.*

*The members of the commission may however put to each witness questions which they consider likely to throw light on and complete his evidence, or get information on any point concerning the witness within the limits of what is necessary in order to get at the truth.*

*The agents and counsel of the parties may not interrupt the witness when he is making his statement, nor put any direct question to him, but they may ask the president to put such additional questions to the witness as they think expedient.*

ARTICLE 27

Restriction on witnesses.

*The witness must give his evidence without being allowed to read any written draft. He may, however, be permitted by the president to consult notes or documents if the nature of the facts referred to necessitates their employment.*

ARTICLE 28

Transcript of evidence.

*A minute of the evidence of the witness is drawn up forthwith and read to the witness. The latter may make such alterations and additions as he thinks necessary, which will be recorded at the end of his statement.*

*When the whole of his statement has been read to the witness, he is asked to sign it.*

ARTICLE 29

Statements by agents.

*The agents are authorized, in the course of or at the close of the inquiry, to present in writing to the commission and to the other party such statements, requisitions, or summaries of the facts as they consider useful for ascertaining the truth.*

ARTICLE 30

Decisions of commission.

*The commission considers its decisions in private and the proceedings are secret.*

Majority to decide.

*All questions are decided by a majority of the members of the commission.*

Record of declining to vote.

*If a member declines to vote, the fact must be recorded in the minutes.*

ARTICLE 31

Sittings, etc., not public.

*The sittings of the commission are not public, nor the minutes and documents connected with the inquiry published except in*

| 1899 | 1907 |
| --- | --- |
| | *virtue of a decision of the commission taken with the consent of the parties.* |
| | ARTICLE 32 |
| | Termination of inquiry. *After the parties have presented all the explanations and evidence, and the witnesses have all been heard, the president declares the inquiry terminated, and the commission adjourns to deliberate and to draw up its report.* |
| ARTICLE 13 | ARTICLE 33 |
| Report. The international commission of inquiry communicates its report to the conflicting Powers, signed by all the members of the commission. | The report is signed by all the members of the commission. *If one of the members refuses to sign, the fact is mentioned; but the validity of the report is not affected.* |
| | ARTICLE 34 |
| | Reading of report. *The report of the commission is read at a public sitting, the agents and counsel of the parties being present or duly summoned.* *A copy of the report is given to each party.* |
| ARTICLE 14 | ARTICLE 35 |
| Effect of report. The report of the international commission of inquiry is limited to a statement of facts, and has in no way the character of an arbitral award. It leaves the | The report of the commission is limited to a statement of facts, and has in no way the character of an award. It leaves to the parties entire freedom as to the |

| 1899 | 1907 | |
|---|---|---|
| conflicting Powers entire freedom as to the effect to be given to this statement. | effect to be given to the statement. | |
| | ARTICLE 36 | |
| | *Each party pays its own expenses and an equal share of the expenses incurred by the commission.* | Expenses. |
| TITLE IV.—ON INTERNATIONAL ARBITRATION | PART IV.—INTERNATIONAL ARBITRATION | International arbitration. |
| CHAPTER I.—*On the System of Arbitration* | CHAPTER I.—*The System of Arbitration* | System. |
| ARTICLE 15 | ARTICLE 37 | |
| International arbitration has for its object the settlement of differences between States by judges of their own choice, and on the basis of respect for law. | International arbitration has for its object the settlement of disputes between States by judges of their own choice and on the basis of respect for law. | Object. |
| | Recourse to arbitration implies an engagement to submit in good faith to the award.[1] | Submission to award. |
| ARTICLE 16[2] | ARTICLE 38[2] | |
| In questions of a legal nature, and especially in the interpretation or application of international conventions, arbitration is recognized by the signatory Powers as the most effective, and at the same time the most equitable, means of settling disputes which diplomacy has failed to settle. | In questions of a legal nature, and especially in the interpretation or application of international conventions, arbitration is recognized by the *contracting* Powers as the most effective, and, at the same time, the most equitable means of settling disputes which diplomacy has failed to settle. | Recognition by Powers. |
| | *Consequently, it would be de-* | Recourse to its use. |

[1] Cf. Article 18 of the 1899 Convention, *post*, p. 56.
[2] See the footnote on p. 56.

| 1899 | 1907 |
| --- | --- |
| | *sirable that, in disputes about the above-mentioned questions, the contracting Powers should, if the case arose, have recourse to arbitration, in so far as circumstances permit.* |
| ARTICLE 17[1] | ARTICLE 39[1] |
| Questions to be considered. The arbitration convention is concluded for questions already existing or for questions which may arise eventually. It may embrace any dispute or only disputes of a certain category. | The arbitration convention is concluded for questions already existing or for questions which may arise eventually. It may embrace any dispute or only disputes of a certain category.[2] |
| ARTICLE 18 | |
| The arbitration convention implies the engagement to submit loyally to the award.[3] | |
| ARTICLE 19[1] | ARTICLE 40[1] |
| Extension of principle reserved. Independently of general or private treaties expressly stipulating recourse to arbitration as obligatory on the signatory Powers, these Powers reserve to themselves the right of concluding, either before the ratification of the present Act or later, new agreements, general or private, with a view to extending obligatory arbitration to all cases which they may consider it possible to submit to it. | Independently of general or private treaties expressly stipulating recourse to arbitration as obligatory on the *contracting* Powers, the said Powers reserve to themselves the right of concluding new agreements, general or particular, with a view to extending compulsory arbitration to all cases which they may consider it possible to submit to it. |

[1]See the reservations of Roumania respecting Articles 16, 17 and 19 of the 1899 Convention and the corresponding articles of the 1907 Convention, *post*, pp. 82, 86.
[2]Chile also made a reservation respecting Article 39, *post*, p. 86.
[3]Cf. Article 37, paragraph 2, of the 1907 Convention, *ante*, p. 55.

| 1899 | 1907 | |
|---|---|---|
| CHAPTER II.—*On the Permanent Court of Arbitration* | CHAPTER II.—*The Permanent Court of Arbitration* | Permanent Court of Arbitration. |
| ARTICLE 20 | ARTICLE 41 | |
| With the object of facilitating an immediate recourse to arbitration for international differences, which it has not been possible to settle by diplomacy, the signatory Powers undertake to organize a Permanent Court of Arbitration, accessible at all times and operating, unless otherwise stipulated by the parties, in accordance with the rules of procedure inserted in the present Convention. | With the object of facilitating an immediate recourse to arbitration for international differences, which it has not been possible to settle by diplomacy, the *contracting* Powers undertake to *maintain the* Permanent Court of Arbitration, *as established by the First Peace Conference,* accessible at all times, and operating, unless otherwise stipulated by the parties, in accordance with the rules of procedure inserted in the present Convention. | Maintenance agreed to. |
| ARTICLE 21 | ARTICLE 42 | |
| The Permanent Court shall be competent for all arbitration cases, unless the parties agree to institute a special tribunal. | The Permanent Court *is* competent for all arbitration cases, unless the parties agree to institute a special tribunal. | Authority. |
| ARTICLE 22 | ARTICLE 43 | |
| | The Permanent Court sits at The Hague.[1] | Location. |
| An International Bureau, established at The Hague, serves as record office for the Court.<br>This Bureau is the channel for communications relative to the meetings of the Court.<br>It has the custody of the archives and conducts all the administrative business. | An International Bureau serves as registry for the Court. It is the channel for communications relative to the meetings of the Court; it has charge of the archives and conducts all the administrative business. | International Bureau. Purpose, etc. |

[1]Cf. Article 25, paragraph 1, of the 1899 Convention, *post,* p. 61.

| 1899 | 1907 |
|---|---|
| Awards of special tribunals. The signatory Powers undertake to communicate to the International Bureau at The Hague a duly certified copy of any conditions of arbitration arrived at between them, and of any award concerning them delivered by special tribunals. | The *contracting* Powers undertake to communicate to the Bureau, *as soon as possible,* a certified copy of any conditions of arbitration arrived at between them and of any award concerning them delivered by a special tribunal. |
| Execution of awards. They undertake also to communicate to the Bureau the laws, regulations, and documents eventually showing the execution of the awards given by the Court. | They likewise undertake to communicate to the Bureau the laws, regulations, and documents eventually showing the execution of the awards given by the Court. |
| ARTICLE 23 | ARTICLE 44 |
| Selection of arbitrators. Within the three months following its ratification of the present Act, each signatory Power shall select four persons at the most, of known competency in questions of international law, of the highest moral reputation, and disposed to accept the duties of arbitrators. | Each *contracting* Power *selects* four persons at the most, of known competency in questions of international law, of the highest moral reputation, and disposed to accept the duties of arbitrator. |
| List of members. The persons thus selected shall be inscribed, as members of the Court, in a list which shall be notified by the Bureau to all the signatory Powers. | The persons thus selected *are* inscribed, as members of the Court, in a list which shall be notified to all the *contracting* Powers by the Bureau. |
| Changes. Any alteration in the list of arbitrators is brought by the Bureau to the knowledge of the signatory Powers. | Any alteration in the list of arbitrators is brought by the Bureau to the knowledge of the *contracting* Powers. |
| Selection in common. Two or more Powers may agree on the selection in common of one or more members. | Two or more Powers may agree on the selection in common of one or more members. |
| The same person can be selected by different Powers. | The same person can be selected by different Powers. |

| 1899 | 1907 | |
|---|---|---|
| The members of the Court are appointed for a term of six years. Their appointments can be renewed. | The members of the Court are appointed for a term of six years. These appointments are renewable. | Term of service. |
| In case of the death or retirement of a member of the Court, his place shall be filled in accordance with the method of his appointment. | Should a member of the Court die or resign, the same procedure is followed for filling the vacancy as was followed for appointing him. *In this case the appointment is made for a fresh period of six years.* | Vacancies. |
| ARTICLE 24 | ARTICLE 45 | |
| When the signatory Powers desire to have recourse to the Permanent Court for the settlement of a difference that has arisen between them, the arbitrators called upon to form the competent tribunal to decide this difference must be chosen from the general list of members of the Court. | When the *contracting* Powers wish to have recourse to the Permanent Court for the settlement of a difference which has arisen between them, the arbitrators called upon to form the tribunal with jurisdiction to decide this difference must be chosen from the general list of members of the Court. | Powers to choose tribunal. |
| Failing the direct agreement of the parties on the composition of the arbitration tribunal, the following course shall be pursued: | Failing the direct agreement of the parties on the composition of the arbitration tribunal, the following course shall be pursued: | Failure of direct agreement. |
| Each party appoints two arbitrators, and these together choose an umpire. | Each party appoints two arbitrators, *of whom one only can be its national or chosen from among the persons selected by it as members of the Permanent Court.* These arbitrators together choose an umpire. | Appointment of separate arbitrators. |
| If the votes are equal, the choice of the umpire is intrusted to a third Power, selected by the parties by common accord. | If the votes are equally divided, the choice of the umpire is intrusted to a third Power, selected by the parties by common accord. | Umpire. |

| | 1899 | 1907 |
|---|---|---|
| Selection by other Powers. | If an agreement is not arrived at on this subject, each party selects a different Power, and the choice of the umpire is made in concert by the Powers thus selected. | If an agreement is not arrived at on this subject each party selects a different Power, and the choice of the umpire is made in concert by the Powers thus selected. |
| Determination of umpire in case of disagreement. | | *If, within two months' time, these two Powers can not come to an agreement each of them presents two candidates taken from the list of members of the Permanent Court, exclusive of the members selected by the parties and not being nationals of either of them. Drawing lots determines which of the candidates thus presented shall be umpire.* |
| | | ARTICLE 46 |
| Notification to Bureau. | The tribunal being thus composed, the parties notify to the Bureau their determination to have recourse to the Court and the names of the arbitrators. | The tribunal being thus composed, the parties notify to the Bureau their determination to have recourse to the Court, *the text of their compromis,* and the names of the arbitrators. |
| Notification to arbitrators. | | *The Bureau communicates without delay to each arbitrator the compromis, and the names of the other members of the tribunal.* |
| Meeting of tribunal. | The tribunal of arbitration assembles on the date fixed by the parties. | The tribunal assembles at the date fixed by the parties. *The Bureau makes the necessary arrangements for the meeting.* |
| Diplomatic privileges. | The members of the Court, in the discharge of their duties and out of their own country, enjoy diplomatic privileges and immunities. | The members of the *tribunal,* in the exercise of their duties and out of their own country, enjoy diplomatic privileges and immunities. |

| 1899 | 1907 |
|---|---|
| ARTICLE 25 | |
| The tribunal of arbitration has its ordinary seat at The Hague.[1] Except in cases of necessity, the place of session can only be altered by the tribunal with the assent of the parties. | |
| ARTICLE 26 | ARTICLE 47 |
| The International Bureau at The Hague is authorized to place its premises and its staff at the disposal of the signatory Powers for the operations of any special board of arbitration. | The Bureau is authorized to place its offices and staff at the disposal of the *contracting* Powers for the use of any special board of arbitration. Use of Bureau for special boards. |
| The jurisdiction of the Permanent Court, may, within the conditions laid down in the regulations, be extended to disputes between non-signatory Powers, or between signatory Powers and non-signatory Powers, if the parties are agreed on recourse to this tribunal. | The jurisdiction of the Permanent Court may, within the conditions laid down in the regulations, be extended to disputes between *non-contracting* Powers or between *contracting* Powers and *non-contracting* Powers,[2] if the parties are agreed on recourse to this tribunal. Extension to non-contracting Powers. |
| ARTICLE 27 | ARTICLE |
| The signatory Powers consider it their duty, if a serious dispute threatens to break out between two or more of them, to remind these latter that the Permanent Court is open to them. | The *contracting* Powers consider it their duty, if a serious dispute threatens to break out between two or more of them, to remind these latter that the Permanent Court is open to them. Notifying disputants. |
| Consequently, they declare that the fact of reminding the conflicting parties of the provisions of the present Convention, and | Consequently, they declare that the fact of reminding the parties at variance of the provisions of the present Convention, and the Regarded as a friendly act. |

[1] Cf. Article 43, paragraph 1, of the 1907 Convention, *ante*, p. 57.

[2] See the reservation of the United States on the subject of this article, *post*, p. 87.

| 1899 | 1907 |
| --- | --- |
| the advice given to them, in the highest interests of peace, to have recourse to the Permanent Court, can only be regarded as friendly actions. | advice given to them, in the highest interests of peace, to have recourse to the Permanent Court, can only be regarded as friendly actions. |
| Offer for arbitration. | *In case of dispute between two Powers, one of them can always address to the International Bureau a note containing a declaration that it would be ready to submit the dispute to arbitration.* |
| Notice to other Power. | *The Bureau must at once inform the other Power of the declaration.* |
| ARTICLE 28 | ARTICLE 49 |
| Administrative Council. A Permanent Administrative Council, composed of the diplomatic representatives of the signatory Powers accredited to The Hague and of the Netherland Minister for Foreign Affairs, who will act as president, shall be instituted in this town as soon as possible after the ratification of the present Act by at least nine Powers. | *The* Permanent Administrative Council, composed of the diplomatic representatives of the *contracting* Powers accredited to The Hague and of the Netherland Minister for Foreign Affairs, who will act as president, is charged with the direction and control of the International Bureau. |
| This Council will be charged with the establishment and organization of the International Bureau, which will be under its direction and control. | |
| It will notify to the Powers the constitution of the Court and will provide for its installation. | |
| Functions. It will settle its rules of procedure and all other necessary regulations. | The Council *settles* its rules of procedure and all other necessary regulations. |

| 1899 | 1907 | |
|---|---|---|
| It will decide all questions of administration which may arise with regard to the operations of the Court. | It *decides* all questions of administration which may arise with regard to the operations of the Court. | |
| It will have entire control over the appointment, suspension or dismissal of the officials and employes of the Bureau. | It *has* entire control over the appointment, suspension, or dismissal of the officials and employes of the Bureau. | |
| It will fix the payments and salaries, and control the general expenditure. | It *fixes* the payments and salaries, and controls the general expenditure. | |
| At meetings duly summoned the presence of five members is sufficient to render valid the discussions of the Council. The decisions are taken by a majority of votes. | At meetings duly summoned the presence of *nine* members is sufficient to render valid the discussions of the Council. The decisions are taken by a majority of votes. | Quorum, etc. |
| The Council communicates to the signatory Powers without delay the regulations adopted by it. It furnishes them with an annual report on the labors of the Court, the working of the administration, and the expenses. | The Council communicates to the *contracting* Powers without delay the regulations adopted by it. It furnishes them with an annual report on the labors of the Court, the working of the administration, and the expenditure. *The report likewise contains a résumé of what is important in the documents communicated to the Bureau by the Powers in virtue of Article 43, paragraphs 3 and 4.* | Regulations. Annual report. |
| ARTICLE 29 | ARTICLE 50 | |
| The expenses of the Bureau shall be borne by the signatory Powers in the proportion fixed for the International Bureau of the Universal Postal Union. | The expenses of the Bureau shall be borne by the *contracting* Powers in the proportion fixed for the International Bureau of the Universal Postal Union. *The expenses to be charged to the adhering Powers shall be reck-* | Expenses. |

| 1899 | 1907 |
| --- | --- |
| | *oned from the date on which their adhesion comes into force.* |
| Procedure. CHAPTER III.—*On Arbitral Procedure* | CHAPTER III.—*Arbitration Procedure* |
| ARTICLE 30 | ARTICLE 51 |
| General rules. With a view to encourage the development of arbitration, the signatory Powers have agreed on the following rules which shall be applicable to arbitral procedure, unless other rules have been agreed on by the parties. | With a view to encouraging the development of arbitration, the *contracting* Powers have agreed on the following rules, which are applicable to arbitration procedure, unless other rules have been agreed on by the parties. |
| ARTICLE 31 | ARTICLE 52 |
| Compromis. Contents. The Powers who have recourse to arbitration sign a special act (compromis), in which the subject of the difference is clearly defined, as well as the extent of the arbitrators' powers. This act implies the undertaking of the parties to submit loyally to the award.[1] | The Powers which have recourse to arbitration sign a compromis, in which the subject of the dispute is clearly defined, *the time allowed for appointing arbitrators, the form, order, and time in which the communication referred to in Article 63 must be made, and the amount of the sum which each party must deposit in advance to defray the expenses.* |
| Further conditions. | *The compromis likewise defines, if there is occasion, the manner of appointing arbitrators, any special powers which may eventually belong to the tribunal, where it shall meet, the language it shall use, and the languages the employment of which shall be authorized before it, and, generally speaking, all the conditions on which the parties are agreed.* |

[1] Cf. Article 37, paragraph 2, of the 1907 Convention, *ante*, p. 55.

1899

1907

ARTICLE 53[1]

*The Permanent Court is competent to settle the compromis, if the parties are agreed to have recourse to it for the purpose.* Settlement by Permanent Court.

*It is similarly competent, even if the request is only made by one of the parties, when all attempts to reach an understanding through the diplomatic channel have failed, in the case of—* Requests by one Power.

*1. A dispute covered by a general treaty of arbitration concluded or renewed after the present Convention has come into force, and providing for a compromis in all disputes and not either explicitly or implicitly excluding the settlement of the compromis from the competence of the Court. Recourse can not, however, be had to the Court if the other party declares that in its opinion the dispute does not belong to the category of disputes which can be submitted to compulsory arbitration, unless the treaty of arbitration confers upon the arbitration tribunal the power of deciding this preliminary question.* Disputes under arbitration treaties. Exception.

*2. A dispute arising from contract debts claimed from one Power by another Power as due to its nationals, and for the settlement of which the offer of arbitration has been accepted. This arrangement is not applicable if acceptance is subject to the condi-* Contract debts.

[1]See the reservations of this article, *post*, p. 85, *et seq.*

| 1899 | 1907 |
| --- | --- |
| | *tion that the compromis should be settled in some other way.*[1] |
| | ARTICLE 54[2] |
| Selection of commission. | *In the cases contemplated in the preceding article, the compromis shall be settled by a commission consisting of five members selected in the manner arranged for in Article 45, paragraphs 3 to 6.* |
| | *The fifth member is president of the commission ex officio.* |
| ARTICLE 32 | ARTICLE 55 |
| Selection of arbitrators. The duties of arbitrator may be conferred on one arbitrator alone or on several arbitrators selected by the parties as they please, or chosen by them from the members of the Permanent Court of Arbitration established by the present Act. | The duties of arbitrator may be conferred on one arbitrator alone or on several arbitrators selected by the parties as they please, or chosen by them from the members of the Permanent Court of Arbitration established by the present Convention. |
| Disagreements. Failing the constitution of the tribunal by direct agreement between the parties, the following course shall be pursued: | Failing the constitution of the tribunal by direct agreement between the parties, the course *referred to in Article 45, paragraphs 3 to 6, is followed.* |
| Each party appoints two arbitrators, and these latter together choose an umpire. | |
| In case of equal voting, the choice of the umpire is intrusted to a third Power, selected by the parties by common accord. | |
| If no agreement is arrived at on this subject, each party selects a different Power, and the choice of the umpire is made in concert by the Powers thus selected. | |

[1] See the reservation of the Dominican Republic to Convention II, *post*, p. 93.
[2] Japan made reservation of Article 54.

**1899**

ARTICLE 33

When a sovereign or the chief of a State is chosen as arbitrator, the arbitral procedure is settled by him.

ARTICLE 34

The umpire is by right president of the tribunal.

When the tribunal does not include an umpire, it appoints its own president.

ARTICLE 35

In case of the death, retirement, or disability from any cause of one of the arbitrators, his place shall be filled in accordance with the method of his appointment.

ARTICLE 36

The tribunal's place of session is selected by the parties. Failing this selection the tribunal sits at The Hague.

**1907**

ARTICLE 56

Arbitration by a sovereign, etc.

When a sovereign or the chief of a State is chosen as arbitrator, the arbitration procedure is settled by him.

ARTICLE 57

President of tribunal.

The umpire is president of the tribunal ex officio.

When the tribunal does not include an umpire, it appoints its own president.

ARTICLE 58

Tribunal formed by commission.

*When the compromis is settled by a commission, as contemplated in Article 54, and in the absence of an agreement to the contrary, the commission itself shall form the arbitration tribunal.*

ARTICLE 59

Vacancies.

Should one of the arbitrators either die, retire, or be unable for any reason whatever to discharge his functions, the same procedure is followed for filling the vacancy as was followed for appointing him.

ARTICLE 60

Sessions.

The tribunal sits at The Hague, unless some other place is selected by the parties.

*The tribunal can only sit in the territory of a third Power with the latter's conse*

| 1899 | 1907 |
| --- | --- |
| The place thus fixed can not, except in case of necessity, be changed by the tribunal without the assent of the parties. | The place of meeting once fixed can not be altered by the tribunal, except with the consent of the parties. |
| | ARTICLE 61 |
| Selection of language. | *If the question as to what languages are to be used has not been settled by the compromis,* it shall be decided by the tribunal.[1] |
| ARTICLE 37 | ARTICLE 62 |
| Agents. The parties have the right to appoint delegates or special agents to attend the tribunal, for the purpose of serving as intermediaries between them and the tribunal. | The parties are entitled to appoint special agents to attend the tribunal to act as intermediaries between themselves and the tribunal. |
| Counsel. They are further authorized to retain, for the defense of their rights and interests before the tribunal, counsel or advocates appointed by them for this purpose. | They are further authorized to retain for the defence of their rights and interests before the tribunal counsel or advocates appointed by themselves for this purpose. |
| Restriction on members of Permanent Court. | *The members of the Permanent Court may not act as agents, counsel, or advocates except on behalf of the Power which appointed them members of the Court.* |
| ARTICLE 38 | |
| The tribunal decides on the choice of languages to be used by itself, and to be authorized for use before it.[2] | |

[1] Cf. Article 38 of the 1899 Convention, *infra.*
[2] Cf. Article 61 of the 1907 Convention, *supra.*

| 1899 | 1907 | |
|---|---|---|
| ARTICLE 39 | ARTICLE 63 | |
| As a general rule the arbitral procedure comprises two distinct phases: preliminary examination and discussion. | As a general rule, arbitration procedure comprises two distinct phases: pleadings and oral discussions. | Procedure. |
| Preliminary examination consists in the communication by the respective agents to the members of the tribunal and to the opposite party of all printed or written acts and of all documents containing the arguments invoked in the case. This communication shall be made in the form and within the periods fixed by the tribunal in accordance with Article 49. | The pleadings consist in the communication by the respective agents to the members of the tribunal and the opposite party of *cases, counter-cases, and, if necessary, of replies; the parties annex thereto all papers* and documents called for in the case. This communication shall be made *either directly or through the intermediary of the International Bureau,* in the *order* and within the time fixed by the *compromis.* | Pleadings. |
| | *The time fixed by the compromis may be extended by mutual agreement by the parties, or by the tribunal when the latter considers it necessary for the purpose of reaching a just decision.* | Extension of time. |
| Discussion consists in the oral development before the tribunal of the arguments of the parties. | The discussions consist in the oral development before the tribunal of the arguments of the parties. | Oral discussions. |
| ARTICLE 40 | ARTICLE 64 | |
| Every document produced by one party must be communicated to the other party. | A *certified copy* of every document produced by one party must be communicated to the other party. | Exchange of documents. |

| 1899 | 1907 |
| --- | --- |
| | ARTICLE 65 |
| Meeting of tribunal. | *Unless special circumstances arise, the tribunal does not meet until the pleadings are closed.* |
| ARTICLE 41 | ARTICLE 66 |
| Discussions. The discussions are under the direction of the president. | The discussions are under the control of the president. |
| Public. They are only public if it be so decided by the tribunal, with the assent of the parties. | They are only public if it be so decided by the tribunal, with the assent of the parties. |
| Record. They are recorded in the procès-verbaux drawn up by the secretaries appointed by the president. These procès-verbaux alone have an authentic character. | They are recorded in minutes drawn up by the secretaries appointed by the president. These minutes *are signed by the president and by one of the secretaries and* alone have an authentic character. |
| ARTICLE 42 | ARTICLE 67 |
| Limiting discussions. When the preliminary examination is concluded, the tribunal has the right to refuse discussion of all fresh acts or documents which one party may desire to submit to it without the consent of the other party. | After the close of the pleadings, the tribunal is entitled to refuse discussion of all new papers or documents which one of the parties may wish to submit to it without the consent of the other party. |
| ARTICLE 43 | ARTICLE 68 |
| Admission of new evidence. The tribunal is free to take into consideration fresh acts or documents to which its attention may be drawn by the agents or counsel of the parties. | The tribunal is free to take into consideration new papers or documents to which its attention may be drawn by the agents or counsel of the parties. |
| In this case, the tribunal has the right to require the production of these acts or documents, | In this case, the tribunal has the right to require the production of these papers or documents, but |

| 1899 | 1907 | |
|---|---|---|
| but is obliged to make them known to the opposite party. | is obliged to make them known to the opposite party. | |
| ARTICLE 44 | ARTICLE 69 | |
| The tribunal can, besides, require from the agents of the parties the production of all acts, and can demand all necessary explanations. In case of refusal, the tribunal takes note of it. | The tribunal can, besides, require from the agents of the parties the production of all papers, and can demand all necessary explanations. In case of refusal the tribunal takes note of it. | Production of all papers. |
| ARTICLE 45 | ARTICLE 70 | |
| The agents and counsel of the parties are authorized to present orally to the tribunal all the arguments they may think expedient in defense of their case. | The agents and the counsel of the parties are authorized to present orally to the tribunal all the arguments they may consider expedient in defense of their case. | Oral arguments. |
| ARTICLE 46 | ARTICLE 71 | |
| They have the right to raise objections and points. The decisions of the tribunal on those points are final, and can not form the subject of any subsequent discussion. | They are entitled to raise objections and points. The decisions of the tribunal on these points are final and can not form the subject of any subsequent discussion. | Decisions final. |
| ARTICLE 47 | ARTICLE 72 | |
| The members of the tribunal have the right to put questions to the agents and counsel of the parties, and to demand explanations from them on doubtful points.<br>Neither the questions put nor the remarks made by members of the tribunal during the discussions can be regarded as an expression of opinion by the tri- | The members of the tribunal are entitled to put questions to the agents and counsel of the parties, and to ask them for explanations on doubtful points.<br>Neither the questions put, nor the remarks made by members of the tribunal in the course of the discussions, can be regarded as an expression of opinion by the | Questions by arbitrators. |

| 1899 | 1907 |
| --- | --- |
| bunal in general, or by its members in particular. | tribunal in general or by its members in particular. |
| ARTICLE 48 | ARTICLE 73 |
| Competence of tribunal. The tribunal is authorized to declare its competence in interpreting the compromis as well as the other treaties which may be invoked in the case, and in applying the principles of international law. | The tribunal is authorized to declare its competence in interpreting the compromis as well as the other *papers and documents* which may be invoked, and in applying the principles of law. |
| ARTICLE 49 | ARTICLE 74 |
| Special rules. The tribunal has the right to issue rules of procedure for the conduct of the case, to decide the forms and periods within which each party must conclude its arguments, and to arrange all the formalities required for dealing with the evidence. | The tribunal is entitled to issue rules of procedure for the conduct of the case, to decide the forms, *order,* and time in which each party must conclude its arguments, and to arrange all the formalities required for dealing with the evidence. |
| | ARTICLE 75 |
| Information to be furnished. | *The parties undertake to supply the tribunal, as fully as they consider possible, with all the information required for deciding the case.* |
| | ARTICLE 76 |
| Serving notice in other countries. | *For all notices which the tribunal has to serve in the territory of a third contracting Power, the tribunal shall apply direct to the Government of that Power. The same rule applies in the case of steps being taken to procure evidence on the spot.* |

| 1899 | 1907 |
| --- | --- |
| | *The requests for this purpose are to be executed as far as the means at the disposal of the Power applied to under its municipal law allow. They can not be rejected unless the Power in question considers them calculated to impair its own sovereign rights or its safety.* Executing requests.<br>*The Court will equally be always entitled to act through the Power on whose territory it sits.* |
| ARTICLE 50 | ARTICLE 77 |
| When the agents and counsel of the parties have submitted all explanations and evidence in support of their case, the president pronounces the discussion closed. | When the agents and counsel of the parties have submitted all the explanations and evidence in support of their case the president shall declare the discussion closed. Close of discussions. |
| ARTICLE 51 | ARTICLE 78 |
| The deliberations of the tribunal take place in private. Every decision is taken by a majority of members of the tribunal. | The tribunal considers its decisions in private and *the proceedings remain secret.* Deliberations private.<br>All questions are decided by a majority of the members of the tribunal. Majority to decide. |
| The refusal of a member to vote must be recorded in the procès-verbal. | |
| ARTICLE 52 | ARTICLE 79 |
| The award, given by a majority of votes, is accompanied by a statement of reasons. It is drawn up in writing and signed by each member of the tribunal.<br>Those members who are in the | The award must give the reasons on which it is based. *It contains the names of the arbitrators; it is signed by the president and registrar or by the secretary acting as registrar.* Statement of award. |

| 1899 | 1907 |
|---|---|
| minority may record their dissent when signing. | |
| ARTICLE 53 | ARTICLE 80 |
| Announcement. The award is read out at a public meeting of the tribunal, the agents and counsel of the parties being present, or duly summoned to attend. | The award is read out in public sitting, the agents and counsel of the parties being present or duly summoned to attend. |
| ARTICLE 54 | ARTICLE 81 |
| Finality. The award, duly pronounced and notified to the agents of the parties at variance, puts an end to the dispute definitively and without appeal. | The award, duly pronounced and notified to the agents of the parties, settles the dispute definitively and without appeal. |
| | ARTICLE 82 |
| Disputes as to interpretation. | *Any dispute arising between the parties as to the interpretation and execution of the award shall, in the absence of an agreement to the contrary, be submitted to the tribunal which pronounced it.* |
| ARTICLE 55 | ARTICLE 83 |
| Right of revision. The parties can reserve in the compromis the right to demand the revision of the award. | The parties can reserve in the compromis the right to demand the revision of the award. |
| Grounds for demand. In this case, and unless there be an agreement to the contrary, the demand must be addressed to the tribunal which pronounced the award. It can only be made on the ground of the discovery of some new fact calculated to exercise a decisive influence on the award, and | In this case and unless there be an agreement to the contrary, the demand must be addressed to the tribunal which pronounced the award. It can only be made on the ground of the discovery of some new fact calculated to exercise a decisive influence upon the award and which was unknown to the tri- |

| 1899 | 1907 | |
|---|---|---|
| which, at the time the discussion was closed, was unknown to the tribunal and to the party demanding the revision. | bunal and to the party which demanded the revision at the time the discussion was closed. | |
| Proceedings for revision can only be instituted by a decision of the tribunal expressly recording the existence of the new fact, recognizing in it the character described in the foregoing paragraph, and declaring the demand admissible on this ground. | Proceedings for revision can only be instituted by a decision of the tribunal expressly recording the existence of the new fact, recognizing in it the character described in the preceding paragraph, and declaring the demand admissible on this ground. | Proceedings. |
| The compromis fixes the period within which the demand for revision must be made. | The compromis fixes the period within which the demand for revision must be made. | Limitation. |
| ARTICLE 56 | ARTICLE 84 | |
| The award is only binding on the parties who concluded the compromis. | The award is not binding except on the parties *in dispute*. | Parties bound. |
| When there is a question of interpreting a Convention to which Powers other than those concerned in the dispute are parties, the latter notify to the former the compromis they have concluded. Each of these Powers has the right to intervene in the case. If one or more of them avail themselves of this right, the interpretation contained in the award is equally binding on them. | When it concerns the interpretation of a Convention to which Powers other than those in dispute are parties, they shall inform all the signatory Powers *in good time*. Each of these Powers is entitled to intervene in the case. If one or more avail themselves of this right, the interpretation contained in the award is equally binding on them. | Right of other Powers to intervene. |
| ARTICLE 57 | ARTICLE 85 | |
| Each party pays its own expenses and an equal share of those of the tribunal. | Each party pays its own expenses and an equal share of the expenses of the tribunal. | Expenses. |

1899

1907

Summary arbitration.

## Chapter IV.—*Arbitration by Summary Procedure*

### Article 86

Rules for summary procedure.

*With a view to facilitating the working of the system of arbitration in disputes admitting of a summary procedure, the contracting Powers adopt the following rules, which shall be observed in the absence of other arrangements and subject to the reservation that the provisions of Chapter III apply so far as may be.*

### Article 87

Arbitrators and umpire.

*Each of the parties in dispute appoints an arbitrator. The two arbitrators thus selected choose an umpire. If they do not agree on this point, each of them proposes two candidates taken from the general list of the members of the Permanent Court exclusive of the members appointed by either of the parties and not being nationals of either of them; which of the candidates thus proposed shall be the umpire is determined by lot.*

*The umpire presides over the tribunal, which gives its decisions by a majority of votes.*

### Article 88

Submission of cases.

*In the absence of any previous agreement the tribunal, as soon as it is formed, settles the time with-*

| 1899 | 1907 | |
|---|---|---|
| | *in which the two parties must submit their respective cases to it.* | |
| | ARTICLE 89 | |
| | *Each party is represented before the tribunal by an agent, who serves as intermediary between the tribunal and the Government who appointed him.* | Agents. |
| | ARTICLE 90 | |
| | *The proceedings are conducted exclusively in writing. Each party, however, is entitled to ask that witnesses and experts should be called. The tribunal has, for its part, the right to demand oral explanations from the agents of the two parties, as well as from the experts and witnesses whose appearance in Court it may consider useful.* | Proceedings to be in writing.<br>Oral explanations. |
| GENERAL PROVISIONS | PART V.—FINAL PROVISIONS | Final provisions. |
| | ARTICLE 91 | |
| | *The present Convention, duly ratified, shall replace, as between the contracting Powers, the Convention for the pacific settlement of international disputes of the 29th July, 1899.* | Former Convention replaced. |
| ARTICLE 58 | ARTICLE 92 | |
| The present Convention shall be ratified as speedily as possible. | The present Convention shall be ratified as soon as possible. | Ratification. |
| The ratifications shall be deposited at The Hague. | The ratifications shall be deposited at The Hague. | Deposit at The Hague. |

| 1899 | 1907 |
| --- | --- |
| A procès-verbal shall be drawn up recording the receipt of each ratification, and a copy duly certified shall be sent, through the diplomatic channel, to all the Powers who were represented at the International Peace Conference at The Hague. | *The first deposit of ratifications shall be recorded in a procès-verbal signed by the representatives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.*<br>*The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherland Government and accompanied by the instrument of ratification.* |
| Certified copies to Powers. | *A duly certified copy of the procès-verbal relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, and of the instruments of ratification, shall be immediately sent by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference, as well as to those Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph, the said Government shall at the same time inform the Powers of the date on which it received the notification.* |
| ARTICLE 59 | ARTICLE 93 |
| Non-signatory Powers may adhere.<br>The non-signatory Powers who were represented at the International Peace Conference can adhere to the present Convention. | Non-signatory Powers which have been *invited to* the *Second* Peace Conference may adhere to the present Convention. |
| Notification of intent.<br>For this purpose they must make known their adhesion to the con- | *The Power which desires to adhere notifies its intention in writ-* |

| 1899 | 1907 |
|---|---|
| tracting Powers by a written notification addressed to the Netherland Government, and communicated by it to all the other contracting Powers. | *ing to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.* |
| | *This Government shall immediately forward to all the other Powers invited to the Second Peace Conference a duly certified copy of the notification as well as of the act of adhesion, mentioning the date on which it received the notification.* Communication to other Powers. |
| ARTICLE 60[1] | ARTICLE 94 |
| The conditions on which the Powers who were not represented at the International Peace Conference can adhere to the present Convention shall form the subject of a subsequent agreement among the contracting Powers. | The conditions on which the Powers which have not been *invited to* the *Second* Peace Conference may adhere to the present Convention shall form the subject of a subsequent agreement between the contracting Powers. Adherence by other Powers. |
| | ARTICLE 95 |
| | *The present Convention shall take effect, in the case of the Powers which were not a party to the first deposit of ratifications sixty days after the date of the procès-verbal of this deposit, and, in the case of the Powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their* Effect of ratification. |

[1]For the protocol establishing, as regards the Powers unrepresented at the First Conference, the mode of adhesion to this Convention, see *ante*, p. xxix

| 1899 | 1907 |
| --- | --- |
| | *adhesion has been received by the Netherland Government.* |
| ARTICLE 61 | ARTICLE 96 |
| Denunciation. In the event of one of the high contracting Parties denouncing the present Convention, this denunciation would not take effect until a year after its notification made in writing to the Netherland Government, and by it communicated at once to all the other contracting Powers. | In the event of one of the contracting *Powers wishing to* denounce the present Convention, *the* denunciation shall be notified in writing to the Netherland Government, *which shall* immediately communicate *a duly certified copy of* the notification to all the other Powers *informing them of the date on which it was received.* |
| Notifying Power only affected. This denunciation shall only affect the notifying Power. | The denunciation shall only have effect in regard to the notifying Power, *and one year after the notification has reached the Netherland Government.* |
| | ARTICLE 97 |
| Register of ratifications. | *A register kept by the Netherland Minister for Foreign Affairs shall give the date of the deposit of ratifications effected in virtue of Article 92, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 93, paragraph 2) or of denunciation (Article 96, paragraph 1) have been received.* |
| | *Each contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.* |
| Signing. In faith of which the plenipotentiaries have signed the present | In faith whereof the plenipotentiaries have *appended their* |

**1899**

Convention and affixed their seals to it.

Done at The Hague, the 29th July, 1899, in a single copy, which shall remain in the archives of the Netherland Government, and copies of it, duly certified, be sent through the diplomatic channel to the contracting Powers.

[Here follow signatures.]

**1907**

*signatures to* the present Convention.

Done at The Hague, the *18th October, 1907,* in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the contracting Powers.

Deposit of original

Certified copies to Powers.

[Here follow signatures.]

---

#### RATIFICATIONS, ADHESIONS AND RESERVATIONS

**The 1899 Convention** was *ratified* by all the signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | September 4, 1900 |
| Belgium | September 4, 1900 |
| Bulgaria | September 4, 1900 |
| China | November 21, 1904 |
| Denmark | September 4, 1900 |
| France | September 4, 1900 |
| Germany | September 4, 1900 |
| Great Britain | September 4, 1900 |
| Greece | April 4, 1901 |
| Italy | September 4, 1900 |
| Japan | October 6, 1900 |
| Luxemburg | July 12, 1901 |
| Mexico | April 17, 1901 |
| Montenegro | October 16, 1900 |
| Netherlands | September 4, 1900 |
| Norway | (See Sweden and Norway.) |
| Persia | September 4, 1900 |
| Portugal | September 4, 1900 |
| Roumania | September 4, 1900 |
| Russia | September 4, 1900 |
| Serbia | May 11, 1901 |

Siam ..... September 4, 1900
Spain ..... September 4, 1900
Sweden and Norway ..... September 4, 1900
Switzerland ..... December 29, 1900
Turkey ..... June 12, 1907
United States ..... September 4, 1900

*Adhesions:*

Argentine Republic ..... June 15, 1907
Bolivia ..... June 15, 1907
Brazil ..... June 15, 1907
Chile ..... June 15, 1907
Colombia ..... June 15, 1907
Cuba ..... June 15, 1907
Dominican Republic ..... June 15, 1907
Ecuador ..... July 3, 1907
Guatemala ..... June 15, 1907
Haiti ..... June 15, 1907
Nicaragua ..... June 15, 1907
Panama ..... June 15, 1907
Paraguay ..... June 15, 1907
Peru ..... June 15, 1907
Salvador ..... June 20, 1907
Uruguay ..... June 17, 1907
Venezuela ..... June 15, 1907

*Reservations:*[1]

Roumania

Under the reservations formulated with respect to Articles 16, 17 and 19 of the present Convention (15, 16 and 18 of the project presented by the committee on examination), and recorded in the *procès-verbal* of the sitting of the Third Commission of July 20, 1899.[2]

*Extract from the procès-verbal:*

The Royal Government of Roumania being completely in favor of the principle of *facultative* arbitration, of which it appreciates the great importance in international relations, neverthe-

[1] All these reservations were made at signature.
[2] Reservations maintained at ratification.

less does not intend to undertake, by Article 15, an engagement to accept arbitration in every case there provided for, and it believes it ought to form express reservations in that respect.

It can not therefore vote for this article, except under that reservation.

The Royal Government of Roumania declares that it can not adhere to Article 16 except with the express reservation, entered in the *procès-verbal,* that it has decided not to accept, in any case, an international arbitration for disagreements or disputes previous to the conclusion of the present Convention.

The Royal Government of Roumania declares that in adhering to Article 18 of the Convention, it makes no engagement in regard to obligatory arbitration.[1]

Serbia

Under the reservations recorded in the *procès-verbal* of the Third Commission of July 20, 1899.[2]

*Extract from the procès-verbal:*

In the name of the Royal Government of Serbia we have the honor to declare that our adoption of the principle of good offices and mediation does not imply a recognition of the right of third States to use these means except with the extreme reserve which proceedings of this delicate nature require.

We do not admit good offices and mediation except on condition that their character of purely friendly counsel is maintained fully and completely, and we never could accept them in forms and circumstances such as to impress upon them the character of intervention.[3]

Turkey

Under reservation of the declaration made in the plenary sitting of the Conference of July 25, 1899.

*Extract from the procès-verbal:*

The Turkish delegation, considering that the work of this Conference has been a work of high loyalty and humanity, destined solely to assure general peace by safeguarding the interests and the rights of each one, declares, in the name of its Gove.nment, that it adheres to the project just adopted, on the following conditions:

1. It is formally understood that recourse to good offices and mediation, to commissions of inquiry and arbitration is

[1]Declaration of Mr. Beldiman. *Procès-verbeaux,* pt. iv, p. 48.
[2]Reservations maintained at ratification.
[3]Declaration of Mr. Miyatovitch. *Procès-verbaux,* pt. iv, p. 47.

purely facultative and could not in any case assume an obligatory character or degenerate into intervention;

2. The Imperial Government itself will be the judge of the case where its interests would permit it to admit these methods without its abstention or refusal to have recourse to them being considered by the signatory States as an unfriendly act.

It goes without saying that in no case could the means in question be applied to questions concerning interior regulation.[1]

United States

Under reservation of the declaration made at the plenary sitting of the Conference on the 25th of July, 1899.[2]

*Extract from the procès-verbal:*

The delegation of the United States of America on signing the Convention for the pacific settlement of international disputes, as proposed by the International Peace Conference, makes the following declaration:

Nothing contained in this Convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions or policy or internal administration of any foreign State; nor shall anything contained in the said Convention be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions.[3]

---

**The 1907 Convention** was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | November 27, 1909 |
| Belgium | August 8, 1910 |
| Bolivia | November 27, 1909 |
| Brazil | January 5, 1914 |
| China | November 27, 1909 |
| Cuba | February 22, 1912 |
| Denmark | November 27, 1909 |
| France | October 7, 1910 |

[1]Declaration of Turkhan Pasha. *Procès-verbaux*, pt. i, p. 70. This reservation does not appear in the instrument of ratification.

[2]Reservation maintained at ratification.

[3]*Procès-verbaux*, pt. i, p. 69. Compare the reservation of the United States to the 1907 Convention, *post*, p. 87.

Germany .....November 27, 1909
Guatemala .....March 15, 1911
Haiti .....February 2, 1910
Japan .....December 13, 1911
Luxemburg .....September 5, 1912
Mexico .....November 27, 1909
Netherlands .....November 27, 1909
Norway .....September 19, 1910
Panama .....September 11, 1911
Portugal .....April 13, 1911
Roumania .....March 1, 1912
Russia .....November 27, 1909
Salvador .....November 27, 1909
Siam .....March 12, 1910
Spain .....March 18, 1913
Sweden .....November 27, 1909
Switzerland .....May 12, 1910
United States .....November 27, 1909

*Adhesion:*

Nicaragua .....December 16, 1909

The following Powers signed the Convention but have not yet ratified:

Argentine Republic
Bulgaria
Chile
Colombia
Dominican Republic
Ecuador
Great Britain
Greece
Italy
Montenegro
Paraguay
Persia
Peru
Serbia
Turkey
Uruguay
Venezuela

*Reservations:*[1]

Brazil

With reservation as to Article 53, paragraphs 2, 3, and 4.[2]

---

[1]All these reservations were made at signature except the second reservation of the United States.

[2]Reservation maintained at ratification.

Chile

Under reservation of the declaration formulated with regard to Article 39 in the seventh meeting of the First Commission on October 7.

*Extract from the procès-verbal:*

The delegation of Chile desires to make the following declaration in the name of its Government with respect to this article. Our delegation at the time of signing the Convention of 1899 for the pacific settlement of international disputes did so with the reservation that the adhesion of its Government as regards Article 17 would not include controversies or questions prior to the celebration of the Convention.

The delegation of Chile believes it to be its duty to-day to renew, with respect to the same provision, the reservation that it has previously made, although it may not be strictly necessary in view of the similar character of the provision.[1]

Greece

With the reservation of paragraph 2 of Article 53.

Japan

With reservation of paragraphs 3 and 4 of Article 48, of paragraph 2 of Article 53, and of Article 54.[2]

Roumania

With the same reservations formulated by the Roumanian plenipotentiaries on signing the Convention for the pacific settlement of international disputes of July 29, 1899.[3]

Switzerland

Under reservation of Article 53, number 2.[2]

Turkey

Under reservation of the declarations recorded in the *procès-verbal* of the ninth plenary session of the Conference held on October 16, 1907.

*Extract from the procès-verbal:*

The Ottoman delegation declares, in the name of its Government, that while it is not unmindful of the beneficent influence

---

[1]Statement of Mr. Domingo Gana. *Actes et documents*, vol. ii, p. 121.
[2]Reservation maintained at ratification.
[3]Reservations maintained at ratification. See *ante*, p. 82.

which good offices, mediation, commissions of inquiry, and arbitration are able to exercise on the maintenance of the pacific relations between States, in giving its adhesion to the whole of the draft, it does so on the understanding that such methods remain, as before, purely optional; it could in no case recognize them as having an obligatory character rendering them susceptible of leading directly or indirectly to an intervention.

The Imperial Government proposes to remain the sole judge of the occasions when it shall be necessary to have recourse to the different proceedings or to accept them without its determination on the point being liable to be viewed by the signatory States as an unfriendly act.

It is unnecessary to add that such methods should never be applied in cases of internal order.[1]

United States

Under reservation of the declaration made in the plenary session of the Conference held on October 16, 1907.[2]

*Extract from the procès-verbal:*

The delegation of the United States renews the reservation made in 1899 on the subject of Article 48 of the Convention for the pacific settlement of international disputes in the form of the following declaration:

Nothing contained in this Convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign State; nor shall anything contained in the said Convention be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions.[3]

The act of ratification contains the following reservation:

That the United States approves this Convention with the understanding that recourse to the Permanent Court for the se tlement of differences can be had only by agreement thereto through general or special treaties of arbitration heretofore or hereafter concluded between the parties in dispute; and the United States now exercises the option contained in Article 53 of said Convention, to exclude the formulation of the *compromis* by the Permanent Court, and hereby excludes from the competence of the Permanent Court the power to frame the *compromis* re-

[1]Statements of Turkhan Pasha. *Actes et documents*, vol. i, p. 336.
[2]Reservation maintained at ratification.
[3]Statement of Mr. David Jayne Hill. *Actes et documents*, vol. i, p. 335.

quired by general or special treaties of arbitration concluded or hereafter to be concluded by the United States, and further expressly declares that the *compromis* required by any treaty of arbitration to which the United States may be a party shall be settled only by agreement between the contracting parties, unless such treaty shall expressly provide otherwise.

## CONVENTION (II) RESPECTING THE LIMITATION OF THE EMPLOYMENT OF FORCE FOR THE RECOVERY OF CONTRACT DEBTS

Signed at The Hague, October 18, 1907

His Majesty the German Emperor, King of Prussia; [etc.]:

Purpose of Convention.

Being desirous of avoiding between nations armed conflicts of a pecuniary origin arising from contract debts which are claimed from the Government of one country by the Government of another country as due to its nationals, have resolved to conclude a Convention to this effect, and have appointed the following as their plenipotentiaries:

[Here follow the names of the plenipotentiaries.]

Who, after depositing their full powers, found in good and due form, have agreed upon the following provisions:

### Article 1

Armed force not to be used for recovering contract debts.

The contracting Powers agree not to have recourse to armed force for the recovery of contract debts claimed from the Government of one country by the Government of another country as being due to its nationals.

Exception.

This undertaking is, however, not applicable when the debtor State refuses or neglects to reply to an offer of arbitration, or, after accepting the offer, prevents any *compromis* from being agreed on, or, after the arbitration, fails to submit to the award.

### Article 2

Arbitration procedure.

It is further agreed that the arbitration mentioned in paragraph 2 of the foregoing article shall be subject to the procedure laid down in Part IV, Chapter III, of the Hague Convention for the pacific settlement of international disputes.

Award

The award shall determine, except where otherwise agreed between the parties, the validity of the claim, the amount of the debt, and the time and mode of payment.

### Article 3

Ratification.

The present Convention shall be ratified as soon as possible.

Deposit at The Hague.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the Powers taking part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherland Government and accompanied by the instrument of ratification.

Certified copies to Powers.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be sent immediately by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph, the said Government shall inform them at the same time of the date on which it received the notification.

### Article 4

Non-signatory Powers may adhere. Notification of intent.

Non-signatory Powers may adhere to the present Convention.

The Power which desires to adhere notifies its intention in writing to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

Communication to other Powers.

The said Government shall forward immediately to all the other Powers invited to the Second Peace Conference a duly certified copy of the notification, as well as of the act of adhesion, mentioning the date on which it received the notification.

### Article 5

Effect of ratification.

The present Convention shall come into force, in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of this deposit, in the case of the Powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.

ARTICLE 6

Denunciation.

In the event of one of the contracting Powers wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall immediately communicate a duly certified copy of the notification to all the other Powers, informing them at the same time of the date on which it was received.

Notifying Power only affected.

The denunciation shall only have effect in regard to the notifying Power, and one year after the notification has reached the Netherland Government.

ARTICLE 7

Register of ratifications.

A register kept by the Netherland Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article 3, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 4, paragraph 2) or of denunciation (Article 6, paragraph 1) were received.

Each contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

Signing.

In faith whereof the plenipotentiaries have appended their signatures to the present Convention.

Deposit of original.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent to the contracting Powers through the diplomatic channel.

[Here follow signatures.]

---

RATIFICATIONS, ADHESIONS AND RESERVATIONS

The foregoing Convention was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria Hungary | November 27, 1909 |
| Denmark | November 27, 1909 |
| France | October 7, 1910 |
| Germany | November 27, 1909 |
| Great Britain | November 27, 1909 |
| Guatemala | March 15, 1911 |
| Haiti | February 2, 1910 |
| Japan | December 13, 1911 |

Mexico ..... November 27, 1909
Netherlands ..... November 27, 1909
Norway ..... September 19, 1910
Panama ..... September 11, 1911
Portugal ..... April 13, 1911
Russia ..... November 27, 1909
Salvador ..... November 27, 1909
Spain ..... March 18, 1913
United States ..... November 27, 1909

*Adhesions:*

China ..... January 15, 1910
Liberia ..... February 4, 1914
Nicaragua ..... December 16, 1909

The following Powers signed the Convention but have not yet ratified:

Argentine Republic
Bolivia
Bulgaria
Chile
Colombia
Cuba
Dominican Republic
Ecuador
Greece
Italy
Montenegro
Paraguay
Persia
Peru
Serbia
Turkey
Uruguay

*Reservations:*[1]

Argentine Republic

The Argentine Republic makes the following reservations:

1. With regard to debts arising from ordinary contracts between the citizen or subject of a nation and a foreign Government, recourse shall not be had to arbitration except in the specific case of denial of justice by the courts of the country which made the contract, the remedies before which courts must first have been exhausted.

2. Public loans, secured by bond issues and constituting the national debt, shall in no case give rise to military aggression or the material occupation of the soil of American nations.

[1] All these reservations, except those of Nicaragua and the United States, were made at signature.

Bolivia

Under the reservation stated to the First Commission.

*Extract from the procès-verbal:*

It seems to me, therefore, that the acceptance of the proposition before us will but mean the legitimation by the *Peace* Conference of a certain class of *wars*, or at least interventions based on disputes which relate neither to the honor nor vital interests of the creditor States.

In consequence of these forceful reasons, the delegation of Bolivia regrets not to give its entire assent to the proposition under discussion.[1]

Colombia

Colombia makes the following reservations:

It does not agree to the employment of force in any case for the recovery of debts, whatever be their nature. It accepts arbitration only after a final decision has been rendered by the courts of the debtor nations.

Dominican Republic

With the reservation made at the plenary session of October 16, 1907.

*Extract from the procès-verbal:*

The delegation of the Dominican Republic confirms its favorable vote on the proposal of the delegation of the United States relative to the limitation of the employment of force for the recovery of contract debts; but it renews its reservation as to the condition contained in this part of the clause: "or after accepting the offer, prevents any *compromis* from being agreed on," as its interpretation might lead to excessive consequences which would be the more regrettable as they are provided for and avoided in the plan of Article 53 of the new Convention for the pacific settlement of international disputes.[2]

Ecuador

With the reservations made at the plenary session of October 16, 1907.

*Extract from the procès-verbal.*

The delegation of Ecuador will vote affirmatively while maintaining the reservations made in the First Commission.[3]

---

[1]Statement of Mr. Claudio Pinilla. *Actes et documents*, vol. ii, p. 142.
[2]Statement of Mr. Apolinar Tejera. *Actes et documents*, vol. i, p. 337.
[3]Statement of Mr. Dorn y de Alsúa. *Actes et documents*, vol. i, p. 338.

Greece

With the reservation made at the plenary session of October 16, 1907.

*Extract from the procès-verbal:*

In the eighth meeting of the First Commission the Greek delegation, being without definite instructions, was obliged to reserve its vote on the subject of the proposition of the United States of America on the treatment of contract debts. We are to-day in a position to declare that the Royal Government accepts the said proposition, which has for its aim the doing away, by peaceful means, of differences between nations and the exclusion, conformably to the principles of international law, of the employment of armed force outside of armed conflicts. We consider, at the same time, that the provisions contained in paragraphs 2 and 3 of the text voted can not affect existing stipulations nor laws in force in the realm.[1]

Guatemala

1. With regard to debts arising from ordinary contracts between the citizens or subjects of a nation and a foreign Government, recourse shall be had to arbitration only in case of denial of justice by the courts of the country which made the contract, the remedies before which courts must first have been exhausted.[2]

2. Public loans secured by bond issues and constituting national debts shall in no case give rise to military aggression or the material occupation of the soil of American nations.[2]

Nicaragua

The act of adhesion contains the following reservations:

(a) With regard to debts arising from ordinary contracts between the citizen or subject of a nation and a foreign Government, recourse shall be had to arbitration only in the specific case of a denial of justice by the courts of the country where the contract was made, the remedies before which courts must first have been exhausted.

(b) Public loans secured by bond issues and constituting the national debt shall in no case give rise to military aggression or the material occupation of the soil of American nations.

---

[1]Statement of Mr. Rangabé. *Actes et documents,* vol. i, p. 336.
[2]Reservation maintained at ratification.

Peru

Under the reservation that the principles laid down in this Convention shall not be applicable to claims or differences arising from contracts concluded by a country with foreign subjects when it has been expressly stipulated in these contracts that the claims or differences must be submitted to the judges or courts of the country.

Salvador

We make the same reservations as the Argentine Republic above.[1]

United States

The act of ratification contains the following reservation:

> That the United States approves this Convention with the understanding that recourse to the Permanent Court for the settlement of the differences referred to in said Convention can be had only by agreement thereto through general or special treaties of arbitration heretofore or hereafter concluded between the parties in dispute.

Uruguay

Under reservation of the second paragraph of Article 1, because the delegation considers that arbitration may always be refused as a matter of right if the fundamental law of the debtor nation, prior to the contract which has given rise to the doubts or disputes, or this contract itself, has stipulated that such doubts or disputes shall be settled by the courts of the said nation.

---

[1] *Ante*, p. 92. Reservation maintained at ratification.

## CONVENTION (III) RELATIVE TO THE OPENING OF HOSTILITIES

Signed at The Hague, October 18, 1907

His Majesty the German Emperor, King of Prussia; [etc.]:

Purpose of Convention.

Considering that it is important, in order to ensure the maintenance of pacific relations, that hostilities should not commence without previous warning;

That it is equally important that the existence of a state of war should be notified without delay to neutral Powers;

Plenipotentiaries

Being desirous of concluding a Convention to this effect, have appointed the following as their plenipotentiaries:

[Here follow the names of plenipotentiaries.]

Who, after depositing their full powers, found in good and due form, have agreed upon the following provisions:

### Article 1

Notice of commencing hostilities.

The contracting Powers recognize that hostilities between themselves must not commence without previous and explicit warning, in the form either of a declaration of war, giving reasons, or of an ultimatum with conditional declaration of war.

### Article 2

Notice to neutral Powers.

The existence of a state of war must be notified to the neutral Powers without delay, and shall not take effect in regard to them until after the receipt of a notification, which may, however, be given by telegraph. Neutral Powers, nevertheless, cannot rely on the absence of notification if it is clearly established that they were in fact aware of the existence of a state of war.

### Article 3

Effect on contracting Powers.

Article 1 of the present Convention shall take effect in case of war between two or more of the contracting Powers.

Article 2 is binding as between a belligerent Power which is a party to the Convention and neutral Powers which are also parties to the Convention.

ARTICLE 4

Ratification.

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

Deposit at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherland Government and accompanied by the instrument of ratification.

Certified copies to Powers.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherland Government through the diplomatic channel to the Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph, the said Government shall at the same time inform them of the date on which it received the notification.

ARTICLE 5

Non-signatory Powers may adhere.

Non-signatory Powers may adhere to the present Convention.

Notification of intent.

The Power which wishes to adhere notifies in writing its intention to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

Communication to other Powers.

The said Government shall at once forward to all the other Powers a duly certified copy of the notification as well as of the act of adhesion, stating the date on which it received the notification.

ARTICLE 6

Effect of ratification.

The present Convention shall come into force, in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of that deposit, and, in the case of the Powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.

### Article 7

Denunciation.

In the event of one of the high contracting Parties wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall at once communicate a duly certified copy of the notification to all the other Powers, informing them of the date on which it was received.

Notifying Power only affected.

The denunciation shall only have effect in regard to the notifying Power, and one year after the notification has reached the Netherland Government.

### Article 8

Register of ratifications.

A register kept by the Netherland Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article 4, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 5, paragraph 2) or of denunciation (Article 7, paragraph 1) have been received.

Each contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

Signing.

In faith whereof the plenipotentiaries have appended their signatures to the present Convention.

Deposit of original.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the Powers which have been invited to the Second Peace Conference.

[Here follow signatures.]

---

#### RATIFICATIONS, ADHESIONS AND RESERVATIONS

The foregoing Convention was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | November 27, 1909 |
| Belgium | August 8, 1910 |
| Bolivia | November 27, 1909 |
| Brazil | January 5, 1914 |
| Denmark | November 27, 1909 |
| France | October 7, 1910 |
| Germany | November 27, 1909 |

| | |
|---|---|
| Great Britain | November 27, 1909 |
| Guatemala | March 15, 1911 |
| Haiti | February 2, 1910 |
| Japan | December 13, 1911 |
| Luxemburg | September 5, 1912 |
| Mexico | November 27, 1909 |
| Netherlands | November 27, 1909 |
| Norway | September 19, 1910 |
| Panama | September 11, 1911 |
| Portugal | April 13, 1911 |
| Roumania | March 1, 1912 |
| Russia | November 27, 1909 |
| Salvador | November 27, 1909 |
| Siam | March 12, 1910 |
| Spain | March 18, 1913 |
| Sweden | November 27, 1909 |
| Switzerland | May 12, 1910 |
| United States | November 27, 1909 |

*Adhesions:*

| | |
|---|---|
| China | January 15, 1910 |
| Liberia | February 4, 1914 |
| Nicaragua | December 16, 1909 |

The following Powers signed the Convention but have not yet ratified:

Argentine Republic
Bulgaria
Chile
Colombia
Cuba
Dominican Republic
Ecuador
Greece
Italy
Montenegro
Paraguay
Persia
Peru
Serbia
Turkey
Uruguay
Venezuela

*Reservations:* none.

## THE HAGUE CONVENTIONS OF 1899 (II) AND 1907 (IV) RESPECTING THE LAWS AND CUSTOMS OF WAR ON LAND

### 1899

CONVENTION (II) with respect to the laws and customs of war on land.—Signed at The Hague, July 29, 1899.

His Majesty the German Emperor, King of Prussia; [etc.] :

Purpose of Convention.

Considering that, while seeking means to preserve peace and prevent armed conflicts among nations, it is likewise necessary to have regard to cases where an appeal to arms may be caused by events which their solicitude could not avert;

Animated by the desire to serve, even in this extreme hypothesis, the interests of humanity and the ever increasing requirements of civilization;

Thinking it important, with this object, to revise the laws and general customs of war, either with the view of defining them more precisely, or of laying down certain limits for the purpose of modifying their severity as far as possible;

### 1907

CONVENTION (IV) respecting the laws and customs of war on land.—Signed at The Hague, October 18, 1907.[1]

His Majesty the German Emperor, King of Prussia; [etc.] :

Seeing that, while seeking means to preserve peace and prevent armed conflicts between nations, it is likewise necessary to bear in mind the case where the appeal to arms has been brought about by events which their care was unable to avert;

Animated by the desire to serve, even in this extreme case, the interests of humanity and the ever progressive needs of civilization;

Thinking it important, with this object, to revise the general laws and customs of war, either with a view to defining them with greater precision or to confining them within such limits as would mitigate their severity as far as possible;

---

[1]Italics indicate differences between the Conventions of 1899 and 1907.

1899

Inspired by these views which are enjoined at the present day, as they were twenty-five years ago at the time of the Brussels Conference in 1874, by a wise and generous foresight;

Have, in this spirit, adopted a great number of provisions, the object of which is to define and govern the usages of war on land.

In view of the high contracting Parties, these provisions, the wording of which has been inspired by the desire to diminish the evils of war so far as military necessities permit, are destined to serve as general rules of conduct for belligerents in their relations with each other and with populations.

It has not, however, been possible to agree forthwith on provisions embracing all the circumstances which occur in practice.

On the other hand, it could not be intended by the high contracting Parties that the cases not provided for should, for want of a written provision, be left to the arbitrary judgment of the military commanders.

Until a more complete code of the laws of war is issued, the high contracting Parties think it right to declare that in cases not included in the Regulations adopted by them, populations and belliger-

1907

*Have deemed it necessary to complete and explain in certain particulars the work of the First Peace Conference, which, following on the Brussels Conference of 1874, and inspired by the ideas dictated by a wise and generous forethought, adopted provisions intended to define and govern the usages of war on land.*

According to the views of the high contracting Parties, these provisions, the wording of which has been inspired by the desire to diminish the evils of war, as far as military requirements permit, are intended to serve as a general rule of conduct for the belligerents in their mutual relations and in their relations with the inhabitants.

It has not, however, been found possible at present to concert regulations covering all the circumstances which arise in practice;

On the other hand, the high contracting Parties clearly do not intend that unforeseen cases should, in the absence of a written undertaking, be left to the arbitrary judgment of military commanders.

Until a more complete code of the laws of war has been issued, the high contracting Parties deem it expedient to declare that, in cases not included in the Regulations adopted by them, the in-

| 1899 | 1907 |
| --- | --- |
| ents remain under the protection and empire of the principles of international law, as they result from the usages established between civilized nations, from the laws of humanity, and the requirements of the public conscience; | habitants and the belligerents remain under the protection and the rule of the principles of the law of nations, as they result from the usages established among civilized peoples, from the laws of humanity, and the dictates of the public conscience. |
| They declare that it is in this sense especially that Articles 1 and 2 of the Regulations adopted must be understood; | They declare that it is in this sense especially that Articles 1 and 2 of the Regulations adopted must be understood. |
| Plenipotentiaries<br>The high contracting Parties, desiring to conclude a Convention to this effect, have appointed as their plenipotentiaries, to wit: | The high contracting Parties, wishing to conclude a *fresh* Convention to this effect, have appointed the following as their plenipotentiaries: |
| [Here follow the names of plenipotentiaries.] | [Here follow the names of plenipotentiaries.] |
| Who, after communication of their full powers, found in good and due form, have agreed on the following: | Who, after *having deposited* their full powers, found in good and due form, have agreed upon the following: |
| ARTICLE 1 | ARTICLE 1 |
| Instructions to armed land forces.<br>The high contracting Parties shall issue instructions to their armed land forces, which shall be in conformity with the "Regulations respecting the laws and customs of war on land" annexed to the present Convention. | The contracting *Powers* shall issue instructions to their armed land forces which shall be in conformity with the Regulations respecting the laws and customs of war on land, annexed to the present Convention. |
| ARTICLE 2 | ARTICLE 2 |
| Powers bound<br>The provisions contained in the Regulations mentioned in Article 1 are only binding on the contract- | The provisions contained in the Regulations referred to in Article 1, *as well as in the present Con-* |

| 1899 | 1907 |
| --- | --- |
| ing Powers, in case of war between two or more of them. | *vention, do not apply except between contracting Powers, and then only if all the belligerents are parties to the Convention.* |
| These provisions shall cease to be binding from the time when, in a war between contracting Powers, a non-contracting Power joins one of the belligerents. | |
| | ARTICLE 3[1] |
| | Penalty for violating regulations. *A belligerent party which violates the provisions of the said Regulations shall, if the case demands, be liable to pay compensation. It shall be responsible for all acts committed by persons forming part of its armed forces.* |
| | ARTICLE 4 |
| | Prior Convention replaced. *The present Convention, duly ratified, shall as between the contracting Powers, be substituted for the Convention of the 29th July, 1899, respecting the laws and customs of war on land.* |
| | Continuance of former Convention. *The Convention of 1899 remains in force as between the Powers which signed it, and which do not also ratify the present Convention.* |
| ARTICLE 3 | ARTICLE 5 |
| The present Convention shall be ratified as speedily as possible. | Ratification. The present Convention shall be ratified as soon as possible. |
| The ratifications shall be deposited at The Hague. | Deposit at The Hague. The ratifications shall be deposited at The Hague. |
| | *The first deposit of ratifications shall be recorded in a procès-verbal signed by the Representa-* |

[1]Turkey made reservation of Article 3.

| 1899 | 1907 |
| --- | --- |
| | *tives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.* |
| | *The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherland Government and accompanied by the instrument of ratification.* |
| Certified copies to Powers. A procès-verbal shall be drawn up recording the receipt of each ratification, and a copy, duly certified, shall be sent through the diplomatic channel, to all the contracting Powers. | *A duly certified copy of the procès-verbal relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be immediately sent by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph the said Government shall at the same time inform them of the date on which it received the notification.* |
| ARTICLE 4 | ARTICLE 6 |
| Adherence of non-signatory Powers. Non-signatory Powers are allowed to adhere to the present Convention. | Non-signatory Powers may adhere to the present Convention. |
| Notification of intent. For this purpose they must make their adhesion known to the contracting Powers by means of a written notification, addressed to the Netherland Government, and | *The Power which desires to adhere notifies in writing its intention to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited* |

| 1899 | 1907 |
| --- | --- |
| by it communicated to all the other contracting Powers. | *in the archives of the said Government.* |
| | *This Government shall at once transmit to all the other Powers a duly certified copy of the notification as well as of the act of adhesion, mentioning the date on which it received the notification.* Communication to other Powers. |
| | ARTICLE 7 |
| | *The present Convention shall come into force, in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the date of the procès-verbal of this deposit, and, in the case of the Powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.* Effect of ratification. |
| ARTICLE 5 | ARTICLE 8 |
| In the event of one of the high contracting Parties denouncing the present Convention, such denunciation would not take effect until a year after the written notification made to the Netherland Government, and by it at once communicated to all the other contracting Powers. | In the event of one of the contracting *Powers wishing to denounce* the present Convention, *the* denunciation *shall be notified in writing to the Netherland Government, which shall at once communicate a duly certified copy of the notification to all the other Powers, informing them of the date on which it was received.* Denunciation. |
| This denunciation shall affect only the notifying Power. | The denunciation shall only have effect in regard to the noti- Notifying Power only affected. |

| 1899 | 1907 |
| --- | --- |
| | fying Power, *and one year after the notification has reached the Netherland Government.* |
| | ARTICLE 9 |
| Register of ratifications. | *A register kept by the Netherland Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article 5, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 6, paragraph 2), or of denunciation (Article 8, paragraph 1) were received.*<br>*Each contracting Power is entitled to have access to this register and to be supplied with duly certified extracts.* |
| Signing. In faith of which the plenipotentiaries have signed the present Convention and affixed their seals thereto. | In faith whereof the plenipotentiaries have *appended their signatures* to the present Convention. |
| Deposit of original. Done at The Hague the 29th July, 1899, in a single copy, which shall be kept in the archives of the Netherland Government, and copies of which, duly certified, shall be delivered to the contracting Powers through the diplomatic channel. | Done at The Hague, the *18th October, 1907,* in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the Powers *which have been invited to the Second Peace Conference.* |
| [Here follow signatures.] | [Here follow signatures.] |

**1899**

*Annex to the Convention*

REGULATIONS RESPECTING THE LAWS AND CUSTOMS OF WAR ON LAND

SECTION I.—ON BELLIGERENTS

CHAPTER I.—*On the Qualifications of Belligerents*

ARTICLE 1

The laws, rights, and duties of war apply not only to armies, but also to militia and volunteer corps fulfilling the following conditions:

1. To be commanded by a person responsible for his subordinates;

2. To have a fixed distinctive emblem recognizable at a distance;

3. To carry arms openly; and

4. To conduct their operations in accordance with the laws and customs of war.

In countries where militia or volunteer corps constitute the army, or form part of it, they are included under the denomination "army."

ARTICLE 2

The population of a territory which has not been occupied who, on the enemy's approach, spontaneously take up arms to resist the invading troops without having time to organize themselves

**1907**

*Annex to the Convention*

REGULATIONS RESPECTING THE LAWS AND CUSTOMS OF WAR ON LAND — Regulations.

SECTION I.—ON BELLIGERENTS — Belligerents.

CHAPTER I.—*The Qualifications of Belligerents* — Qualifications.

ARTICLE 1

The laws, rights, and duties of war apply not only to armies, but also to militia and volunteer corps fulfilling the following conditions: — Application of laws of war to all forces.

1. To be commanded by a person responsible for his subordinates; — Description.

2. To have a fixed distinctive emblem recognizable at a distance;

3. To carry arms openly; and

4. To conduct their operations in accordance with the laws and customs of war.

In countries where militia or volunteer corps constitute the army, or form part of it, they are included under the denomination "army." — Forces included in "army."

ARTICLE 2

The inhabitants of a territory which has not been occupied, who, on the approach of the enemy, spontaneously take up arms to resist the invading troops without having had time to organize — Unorganized belligerents recognized.

| 1899 | 1907 |
|---|---|
| in accordance with Article 1, shall be regarded as belligerent, if they respect the laws and customs of war. | themselves in accordance with Article 1, shall be regarded as belligerents *if they carry arms openly and* if they respect the laws and customs of war. |
| ARTICLE 3 | ARTICLE 3 |
| Combatants and non-combatants. The armed forces of the belligerent parties may consist of combatants and non-combatants. In case of capture by the enemy both have a right to be treated as prisoners of war. | The armed forces of the belligerent parties may consist of combatants and non-combatants. In the case of capture by the enemy, both have a right to be treated as prisoners of war. |
| Prisoners of war. CHAPTER II.—*On Prisoners of War* | CHAPTER II.—*Prisoners of War* |
| ARTICLE 4 | ARTICLE 4 |
| Responsibility of capturing Government. Prisoners of war are in the power of the hostile Government, but not in that of the individuals or corps who captured them. | Prisoners of war are in the power of the hostile Government, but not of the individuals or corps who capture them. |
| Treatment. They must be humanely treated. | They must be humanely treated. |
| Personal belongings. All their personal belongings, except arms, horses, and military papers remain their property. | All their personal belongings, except arms, horses, and military papers, remain their property. |
| ARTICLE 5 | ARTICLE 5 |
| Confinement. Prisoners of war may be interned in a town, fortress, camp, or any other locality, and bound not to go beyond certain fixed limits; but they can only be confined as an indispensable measure of safety. | Prisoners of war may be interned in a town, fortress, camp, or other place, and bound not to go beyond certain fixed limits; but they can not be confined except as an indispensable measure of safety *and only while the circumstances which necessitate the measure continue to exist.* |

| 1899 | 1907 | |
|---|---|---|
| ARTICLE 6 | ARTICLE 6 | |
| The State may utilize the labor of prisoners of war according to their rank and aptitude. Their tasks shall not be excessive, and shall have nothing to do with the military operations. | The State may utilize the labor of prisoners of war according to their rank and aptitude, *officers excepted.* The tasks shall not be excessive and shall have no connection with the operations of the war. | Employment at labor. |
| Prisoners may be authorized to work for the public service, for private persons, or on their own account. | Prisoners may be authorized to work for the public service, for private persons, or on their own account. | |
| Work done for the State shall be paid for according to the tariffs in force for soldiers of the national army employed on similar tasks. | Work done for the State is paid for at the rates in force for work of a similar kind done by soldiers of the national army, *or, if there are none in force, at a rate according to the work executed.* | Payment. |
| When the work is for other branches of the public service or for private persons, the conditions shall be settled in agreement with the military authorities. | When the work is for other branches of the public service or for private persons the conditions are settled in agreement with the military authorities. | |
| The wages of the prisoners shall go towards improving their position, and the balance shall be paid them at the time of their release, after deducting the cost of their maintenance. | The wages of the prisoners shall go towards improving their position, and the balance shall be paid them on their release, after deducting the cost of their maintenance. | Use of wages. |
| ARTICLE 7 | ARTICLE 7 | |
| The Government into whose hands prisoners of war have fallen is bound to maintain them. | The Government into whose hands prisoners of war have fallen is charged with their maintenance. | Maintenance. |
| Failing a special agreement between the belligerents, prisoners | In the absence of a special agreement between the belliger- | General treatment. |

1899

of war shall be treated as regards food, quarters, and clothing, on the same footing as the troops of the Government which has captured them.

ARTICLE 8

Subject to military laws, etc.

Prisoners of war shall be subject to the laws, regulations, and orders in force in the army of the State into whose hands they have fallen. Any act of insubordination warrants the adoption, as regards them, of such measures of severity as may be necessary.

Insubordination.

Recaptured prisoners.

Escaped prisoners, recaptured before they have succeeded in rejoining their army, or before quitting the territory occupied by the army that captured them, are liable to disciplinary punishment.

Prisoners who, after succeeding in escaping are again taken prisoners, are not liable to any punishment for the previous flight.

ARTICLE 9

Restrictions for false statements.

Every prisoner of war, if questioned, is bound to declare his true name and rank, and if he disregards this rule, he is liable to a curtailment of the advantages accorded to the prisoners of war of his class.

1907

ents, prisoners of war shall be treated as regards board, lodging, and clothing on the same footing as the troops of the Government who captured them.

ARTICLE 8

Prisoners of war shall be subject to the laws, regulations, and orders in force in the army of the State in whose power they are. Any act of insubordination justifies the adoption towards them of such measures of severity as may be considered necessary.

Escaped prisoners who are retaken before being able to rejoin their own army or before leaving the territory occupied by the army which captured them are liable to disciplinary punishment.

Prisoners who, after succeeding in escaping, are again taken prisoners, are not liable to any punishment on account of the previous flight.

ARTICLE 9

Every prisoner of war is bound to give, if he is questioned on the subject, his true name and rank, and if he infringes this rule, he is liable to have the advantages given to prisoners of his class curtailed.

| 1899 | 1907 | |
|---|---|---|
| ARTICLE 10 | ARTICLE 10 | |
| Prisoners of war may be set at liberty on parole if the laws of their country authorize it, and, in such a case, they are bound, on their personal honor, scrupulously to fulfil, both as regards their own Government and the Government by whom they were made prisoners, the engagements they have contracted. | Prisoners of war may be set at liberty on parole if the laws of their country allow, and, in such cases, they are bound, on their personal honor, scrupulously to fulfil, both towards their own Government and the Government by whom they were made prisoners, the engagements they have contracted. | Parole to be observed. |
| In such cases, their own Government shall not require of nor accept from them any service incompatible with the parole given. | In such cases their own Government is bound neither to require of nor accept from them any service incompatible with the parole given. | Recognition of. |
| ARTICLE 11 | ARTICLE 11 | |
| A prisoner of war can not be forced to accept his liberty on parole; similarly the hostile Government is not obliged to assent to the prisoner's request to be set at liberty on parole. | A prisoner of war can not be compelled to accept his liberty on parole; similarly the hostile Government is not obliged to accede to the request of the prisoner to be set at liberty on parole. | Parole to be voluntary. |
| ARTICLE 12 | ARTICLE 12 | |
| Any prisoner of war, who is liberated on parole and recaptured, bearing arms against the Government to whom he had pledged his honor, or against the allies of that Government, forfeits his right to be treated as a prisoner of war, and can be brought before the courts. | Prisoners of war liberated on parole and recaptured bearing arms against the Government to whom they had pledged their honor, or against the allies of that Government, forfeit their right to be treated as prisoners of war, and can be brought before the courts. | Forfeiture of parole. |

| 1899 | 1907 |
| --- | --- |
| ARTICLE 13 | ARTICLE 13 |
| Treatment of captured reporters, sutlers, etc. Individuals who follow an army without directly belonging to it, such as newspaper correspondents and reporters, sutlers, contractors, who fall into the enemy's hands, and whom the latter think fit to detain, have a right to be treated as prisoners of war, provided they can produce a certificate from the military authorities of the army they were accompanying. | Individuals who follow an army without directly belonging to it, such as newspaper correspondents and reporters, sutlers and contractors, who fall into the enemy's hands and whom the latter thinks expedient to detain, are entitled to be treated as prisoners of war, provided they are in possession of a certificate from the military authorities of the army which they were accompanying. |
| ARTICLE 14 | ARTICLE 14 |
| Bureau of information to be established. A bureau for information relative to prisoners of war is instituted, on the commencement of hostilities, in each of the belligerent States, and, when necessary, in the neutral countries on whose territory belligerents have been received. Functions. This bureau is intended to answer all inquiries about prisoners of war, and is furnished by the various services concerned with all the necessary information to enable it to keep an individual return for each prisoner of war. It is kept informed of internments and changes, as well as of admissions into hospital and deaths. | An inquiry office for prisoners of war is instituted on the commencement of hostilities in each of the belligerent States, and, when necessary, in neutral countries which have received belligerents in their territory. It is the function of this office to reply to all inquiries about the prisoners. It receives from the various services concerned full information respecting internments and transfers, *releases on parole, exchanges, escapes,* admissions into hospital, deaths, as well as other information necessary to enable it to make out *and keep up to date* an individual return for each prisoner of war. *The office must state in this return the regimental number, name and surname, age, place of origin, rank, unit, wounds, date* |

1899

It is also the duty of the information bureau to receive and collect all objects of personal use, valuables, letters, etc., found on the battlefields or left by prisoners who have died in hospital or ambulance, and to transmit them to those interested.

ARTICLE 15

Relief societies for prisoners of war, which are regularly constituted in accordance with the law of the country with the object of serving as the intermediary for charity, shall receive from the belligerents for themselves and their duly accredited agents every facility, within the bounds of military requirements and administrative regulations, for the effective accomplishment of their humane task. Delegates of these societies may be admitted to the places of internment for the distribution of relief, as also to the halting places of repatriated prisoners, if furnished with a personal permit by the military authorities, and on

1907

*and place of capture, internment, wounding, and death, as well as any observations of a special character. The individual return shall be sent to the Government of the other belligerent after the conclusion of peace.*

Receipt, etc., of property.

It is likewise the function of the inquiry office to receive and collect all objects of personal use, valuables, letters, etc., found on the field of battle or left by prisoners who have *been released on parole, or exchanged, or who have escaped, or* died in hospitals or ambulances, and to forward them to those concerned.

ARTICLE 15

Recognition of relief societies.

Relief societies for prisoners of war, which are properly constituted in accordance with the laws of their country and with the object of serving as the channel for charitable effort shall receive from the belligerents, for themselves and their duly accredited agents every facility for the efficient performance of their humane task within the bounds imposed by military necessities and administrative regulations. Agents of these societies may be admitted to the places of internment for the purpose of distributing relief, as also to the halting places of repatriated prisoners, if furnished with a personal permit by the military

Agents.

| 1899 | 1907 |
| --- | --- |
| giving an engagement in writing to comply with all their regulations for order and police. | authorities, and on giving an undertaking in writing to comply with all measures of order and police which the latter may issue. |
| ARTICLE 16 | ARTICLE 16 |
| Privileges allowed. The information bureau shall have the privilege of free postage. Letters, money orders, and valuables, as well as postal parcels destined for the prisoners of war or dispatched by them, shall be free of all postal duties both in the countries of origin and destination, as well as in those they pass through. | Inquiry offices enjoy the privilege of free postage. Letters, money orders, and valuables, as well as parcels by post, intended for prisoners of war, or dispatched by them, shall be exempt from all postal duties in the countries of origin and destination, as well as in the countries they pass through. |
| Gifts and relief in kind for prisoners of war shall be admitted free of all duties of entry and others, as well as of payments for carriage by the Government railways. | Presents and relief in kind for prisoners of war shall be admitted free of all import or other duties, as well as of payments for carriage by the State railways. |
| ARTICLE 17 | ARTICLE 17 |
| Pay to officers taken prisoners. Officers taken prisoners may receive, if necessary, the full pay allowed them in this position by their country's regulations, the amount to be repaid by their Government. | Officers taken prisoners shall receive *the same rate of pay as officers of corresponding rank in the country where they are detained,* the amount to be ultimately refunded by their own Government. |
| ARTICLE 18 | ARTICLE 18 |
| Religious liberty. Prisoners of war shall enjoy every latitude in the exercise of their religion, including attendance at their own church services, provided only they comply with | Prisoners of war shall enjoy complete liberty in the exercise of their religion, including attendance at the services of whatever church they may belong to, on |

| 1899 | 1907 | |
|---|---|---|
| the regulations for order and police issued by the military authorities. | the sole condition that they comply with the measures of order and police issued by the military authorities. | |
| ARTICLE 19 | ARTICLE 19 | |
| The wills of prisoners of war are received or drawn up on the same conditions as for soldiers of the national army. | The wills of prisoners of war are received or drawn up in the same way as for soldiers of the national army. | Wills. |
| The same rules shall be observed regarding death certificates, as well as for the burial of prisoners of war, due regard being paid to their grade and rank. | The same rules shall be observed regarding death certificates as well as for the burial of prisoners of war, due regard being paid to their grade and rank. | Burials, etc. |
| ARTICLE 20 | ARTICLE 20 | |
| After the conclusion of peace, the repatriation of prisoners of war shall take place as speedily as possible. | After the conclusion of peace, the repatriation of prisoners of war shall be carried out as quickly as possible. | Repatriation. |
| CHAPTER III.—*On the Sick and Wounded* | CHAPTER III.—*The Sick and Wounded* | Sick and wounded. |
| ARTICLE 21 | ARTICLE 21 | |
| The obligations of belligerents with regard to the sick and wounded are governed by the Geneva Convention of the 22d August, 1864, subject to any modifications which may be introduced into it. | The obligations of belligerents with regard to the sick and wounded are governed by the Geneva Convention. | Geneva Convention to govern. |

| 1899 | 1907 |
|---|---|
| Hostilities. SECTION II.—ON HOSTILITIES | SECTION II.—HOSTILITIES |
| Means of injuring enemy, sieges, and bombardments. CHAPTER I.—*On Means of Injuring the Enemy, Sieges, and Bombardments* | CHAPTER I.—*Means of Injuring the Enemy, Sieges, and Bombardments* |
| ARTICLE 22 | ARTICLE 22 |
| Restriction. The right of belligerents to adopt means of injuring the enemy is not unlimited. | The right of belligerents to adopt means of injuring the enemy is not unlimited. |
| ARTICLE 23 | ARTICLE 23 |
| Special prohibitions. Besides the prohibitions provided by special Conventions, it is especially prohibited— | In addition to the prohibitions provided by special Conventions, it is especially forbidden— |
| Poison. (*a.*) To employ poison or poisoned arms; | (*a.*) To employ poison or poisoned weapons; |
| Treachery. (*b.*) To kill or wound treacherously individuals belonging to the hostile nation or army; | (*b.*) To kill or wound treacherously individuals belonging to the hostile nation or army; |
| Killing those who have surrendered. (*c.*) To kill or wound an enemy who, having laid down arms, or having no longer means of defence, has surrendered at discretion; | (*c.*) To kill or wound an enemy who, having laid down his arms, or having no longer means of defence, has surrendered at discretion; |
| Quarter. (*d.*) To declare that no quarter will be given; | (*d.*) To declare that no quarter will be given; |
| Weapons causing unnecessary suffering. (*e.*) To employ arms, projectiles, or material of a nature to cause superfluous injury; | (*e.*) To employ arms, projectiles, or material calculated to cause unnecessary suffering; |
| Abuse of flags and uniform. (*f.*) To make improper use of a flag of truce, the national flag or military ensigns and uniform of the enemy, as well as the distinctive badges of the Geneva Convention; | (*f.*) To make improper use of a flag of truce, of the national flag or of the military insignia and uniform of the enemy, as well as the distinctive badges of the Geneva Convention; |
| Unnecessary destruction or seizure of property. (*g.*) To destroy or seize the enemy's property, unless such de- | (*g.*) To destroy or seize the enemy's property, unless such de- |

| 1899 | 1907 | |
|---|---|---|
| struction or seizure be imperatively demanded by the necessities of war. | struction or seizure be imperatively demanded by the necessities of war; | |
| | (*h.*) *To declare abolished, suspended, or inadmissible in a court of law the rights and actions of the nationals of the hostile party.* | Rights and actions. |
| | *A belligerent is likewise forbidden to compel the nationals of the hostile party to take part in the operations of war directed against their own country, even if they were in the belligerent's service before the commencement of the war.*[1] | Forced service against one's own country. |
| ARTICLE 24 | ARTICLE 24 | |
| Ruses of war and the employment of methods necessary to obtain information about the enemy and the country, are considered allowable. | Ruses of war and the employment of measures necessary for obtaining information about the enemy and the country are considered permissible. | Obtaining information permitted. |
| ARTICLE 25 | ARTICLE 25 | |
| The attack or bombardment of towns, villages, habitations or buildings which are not defended, is prohibited. | The attack or bombardment, *by whatever means,* of towns, villages, dwellings, or buildings which are undefended is prohibited. | Assault on undefended towns, etc. |
| ARTICLE 26 | ARTICLE 26 | |
| The commander of an attacking force, before commencing a bombardment, except in the case of an assault, should do all he can to warn the authorities. | The officer in command of an attacking force must, before commencing a bombardment, except in cases of assault, do all in his power to warn the authorities. | Warning of bombardments. |

[1] Cf. Article 44 of the 1899 Convention, *post*, p. 123.

| 1899 | 1907 |
|---|---|
| ARTICLE 27 | ARTICLE 27 |
| Buildings, etc., to be spared. In sieges and bombardments all necessary steps should be taken to spare as far as possible edifices devoted to religion, art, science, and charity, hospitals, and places where the sick and wounded are collected, provided they are not used at the same time for military purposes. | In sieges and bombardments all necessary steps must be taken to spare, as far as possible, building dedicated to religion, art, science, or charitable purposes, *historic monuments,* hospitals, and places where the sick and wounded are collected, provided they are not being used at the time for military purposes. |
| Notification of. The besieged should indicate these buildings or places by some particular and visible signs, which should previously be notified to the assailants. | It is the duty of the besieged to indicate the presence of such buildings or places by distinctive and visible signs, which shall be notified to the enemy beforehand. |
| ARTICLE 28 | ARTICLE 28 |
| Pillage prohibited. The pillage of a town or place, even when taken by assault, is prohibited. | The pillage of a town or place, even when taken by assault, is prohibited. |
| Spies. CHAPTER II.—*On Spies* | CHAPTER II.—*Spies* |
| ARTICLE 29 | ARTICLE 29 |
| Definitions. An individual can only be considered a spy if, acting clandestinely, or on false pretences, he obtains, or seeks to obtain information in the zone of operations of a belligerent, with the intention of communicating it to the hostile party. | A person can only be considered a spy when, acting clandestinely or on false pretences, he obtains or endeavors to obtain information in the zone of operations of a belligerent, with the intention of communicating it to the hostile party. |
| Thus, soldiers not in disguise who have penetrated into the zone of operations of a hostile army to obtain information are not con- | Thus, soldiers not wearing a disguise who have penetrated into the zone of operations of the hostile army, for the purpose of ob- |

| 1899 | 1907 | |
|---|---|---|
| sidered spies. Similarly, the following are not considered spies: soldiers or civilians, carrying out their mission openly, charged with the delivery of despatches destined either for their own army or for that of the enemy. To this class belong likewise individuals sent in balloons to deliver despatches, and generally to maintain communication between the various parts of an army or a territory. | taining information, are not considered spies. Similarly, the following are not considered spies: Soldiers and civilians, carrying out their mission openly, intrusted with the delivery of despatches intended either for their own army or for the enemy's army. To this class belong likewise persons sent in balloons for the purpose of carrying despatches and, generally, of maintaining communications between the different parts of an army or a territory. | |
| ARTICLE 30 | ARTICLE 30 | |
| A spy taken in the act can not be punished without previous trial. | A spy taken in the acts shall not be punished without previous trial. | Trial required. |
| ARTICLE 31 | ARTICLE 31 | |
| A spy who, after rejoining the army to which he belongs, is subsequently captured by the enemy, is treated as a prisoner of war, and incurs no responsibility for his previous acts of espionage. | A spy who, after rejoining the army to which he belongs, is subsequently captured by the enemy, is treated as a prisoner of war, and incurs no responsibility for his previous acts of espionage. | Subsequent capture. |
| CHAPTER III.—*On Flags of Truce* | CHAPTER III.—*Flags of Truce* | Flags of truce. |
| ARTICLE 32 | ARTICLE 32 | |
| An individual is considered as a parlementaire who is authorized by one of the belligerents to enter into communication with the other, and who carries a white | A person is regarded as a parlementaire who has been authorized by one of the belligerents to enter into communication with the other, and who advances bearing | Inviolability of bearers. |

| 1899 | 1907 |
|---|---|
| flag. He has a right to inviolability, as well as the trumpeter, bugler, or drummer, the flag-bearer, and the interpreter who may accompany him. | a white flag. He has a right to inviolability, as well as the trumpeter, bugler or drummer, the flag-bearer and interpreter who may accompany him. |
| ARTICLE 33 | ARTICLE 33 |
| Reception not compulsory. The chief to whom a parlementaire is sent is not obliged to receive him in all circumstances. | The commander to whom a parlementaire is sent is not in all cases obliged to receive him. |
| He can take all steps necessary to prevent the parlementaire taking advantage of his mission to obtain information. | He may take all the necessary steps to prevent the parlementaire taking advantage of his mission to obtain information. |
| In case of abuse, he has the right to detain the parlementaire temporarily. | In case of abuse, he has the right to detain the parlementaire temporarily. |
| ARTICLE 34 | ARTICLE 34 |
| Treason of parlementaire. The parlementaire loses his rights of inviolability if it is proved beyond doubt that he has taken advantage of his privileged position to provoke or commit an act of treason. | The parlementaire loses his rights of inviolability if it is proved in a clear and incontestable manner that he has taken advantage of his privileged position to provoke or commit an act of treason. |
| Capitulations. CHAPTER IV.—*On Capitulations* | CHAPTER IV.—*Capitulations* |
| ARTICLE 35 | ARTICLE 35 |
| Military honor to be observed. Capitulations agreed on between the contracting Parties must be in accordance with the rules of military honor. | Capitulations agreed upon between the contracting Parties must take into account the rules of military honor. |
| When once settled, they must be scupulously observed by both the parties. | Once settled, they must be scrupulously observed by both parties. |

| 1899 | 1907 | |
|---|---|---|
| CHAPTER V.—*On Armistices* | CHAPTER V.—*Armistices* | Armistices. |
| ARTICLE 36 | ARTICLE 36 | |
| An armistice suspends military operations by mutual agreement between the belligerent parties. If its duration is not fixed, the belligerent parties can resume operations at any time, provided always the enemy is warned within the time agreed upon, in accordance with the terms of the armistice. | An armistice suspends military operations by mutual agreement between the belligerent parties. If its duration is not defined, the belligerent parties may resume operations at any time, provided always that the enemy is warned within the time agreed upon, in accordance with the terms of the armistice. | Effect. |
| ARTICLE 37 | ARTICLE 37 | |
| An armistice may be general or local. The first suspends all military operations of the belligerent States; the second, only those between certain fractions of the belligerent armies and in a fixed radius. | An armistice may be general or local. The first suspends the military operations of the belligerent States everywhere; the second only between certain fractions of the belligerent armies and within a fixed radius. | General.<br>Local. |
| ARTICLE 38 | ARTICLE 38 | |
| An armistice must be notified officially, and in good time, to the competent authorities and the troops. Hostilities are suspended immediately after the notification, or at a fixed date. | An armistice must be notified officially and in good time to the competent authorities and to the troops. Hostilities are suspended immediately after the notification, or on the date fixed. | Notification.<br>Suspension of hostilities. |
| ARTICLE 39 | ARTICLE 39 | |
| It is for the contracting Parties to settle, in the terms of the armistice, what communications may be held, on the theatre of war, | It rests with the contracting Parties to settle, in the terms of the armistice, what communications may be held in the theatre | Communication allowed with inhabitants. |

| 1899 | 1907 |
|---|---|
| with the population and with each other. | of war with the inhabitants and between the inhabitants of one belligerent State and those of the other. |
| ARTICLE 40 | ARTICLE 40 |
| Effect of violation by Powers. Any serious violation of the armistice by one of the parties gives the other party the right to denounce it, and even, in case of urgency, to recommence hostilities at once. | Any serious violation of the armistice by one of the parties gives the other party the right of denouncing it, and even, in cases of urgency, of recommencing hostilities immediately. |
| ARTICLE 41 | ARTICLE 41 |
| Violation by private persons. A violation of the terms of the armistice by private individuals acting on their own initiative, only confers the right of demanding the punishment of the offenders, and, if necessary, indemnity for the losses sustained. | A violation of the terms of the armistice by private persons acting on their own initiative only entitles the injured party to demand the punishment of the offenders or, if necessary, compensation for the losses sustained. |
| Military authority over captured territory. SECTION III.—ON MILITARY AUTHORITY OVER HOSTILE TERRITORY | SECTION III.—MILITARY AUTHORITY OVER THE TERRITORY OF THE HOSTILE STATE |
| ARTICLE 42 | ARTICLE 42 |
| Actual occupation. Territory is considered occupied when it is actually placed under the authority of the hostile army. | Territory is considered occupied when it is actually placed under the authority of the hostile army. |
| Extent. The occupation applies only to the territory where such authority is established, and in a position to assert itself. | The occupation extends only to the territory where such authority has been established and can be exercised. |

| 1899 | 1907 | |
|---|---|---|
| ARTICLE 43 | ARTICLE 43 | |
| The authority of the legitimate power having actually passed into the hands of the occupant, the latter shall take all steps in his power to re-establish and insure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country. | The authority of the legitimate power having in fact passed into the hands of the occupant, the latter shall take all the measures in his power to restore, and ensure, as far as possible, public order and safety, while respecting, unless absolutely prevented, the laws in force in the country. | Preservation of order and safety. |
| ARTICLE 44[1] | ARTICLE 44[2] | |
| Any compulsion of the population of occupied territory to take part in military operations against its own country is prohibited. | A belligerent is forbidden to force the inhabitants of territory occupied by it to *furnish information about the army of the other belligerent, or about its means of defense.* | Forcing information from inhabitants forbidden. |
| ARTICLE 45 | ARTICLE 45 | |
| Any pressure on the population of occupied territory to take the oath to the hostile Power is prohibited. | It is forbidden to compel the inhabitants of occupied territory to swear allegiance to the hostile Power. | Requiring oath of allegiance forbidden. |
| ARTICLE 46 | ARTICLE 46 | |
| Family honors and rights, individual lives and private property, as well as religious convictions and liberty, must be respected. | Family honor and rights, the lives of persons, and private property, as well as religious convictions and practice, must be respected. | Rights and property to be respected. |
| Private property can not be confiscated. | Private property can not be confiscated. | No confiscation. |
| ARTICLE 47 | ARTICLE 47 | |
| Pillage is formally prohibited. | Pillage is formally forbidden. | Pillage forbidden. |

[1]Cf. the last paragraph of Article 23 of the 1907 Convention, *ante*, p. 117.
[2]See the reservations of various Powers, *post*, pp. 131, 132.

| 1899 | 1907 |
|---|---|
| ARTICLE 48 | ARTICLE 48 |
| Collection of taxes. If, in the territory occupied, the occupant collects the taxes, dues, and tolls imposed for the benefit of the State, he shall do it, as far as possible, in accordance with the rules in existence and the assessment in force, and will in consequence be bound to defray the expenses of the administration of the occupied territory on the same scale as that by which the legitimate Government was bound. | If, in the territory occupied, the occupant collects the taxes, dues, and tolls imposed for the benefit of the State, he shall do so, as far as is possible, in accordance with the rules of assessment and incidence in force, and shall in consequence be bound to defray the expenses of the administration of the occupied territory to the same extent as the legitimate Government was so bound. |
| ARTICLE 49 | ARTICLE 49 |
| Levies for military needs. If, besides the taxes mentioned in the preceding article, the occupant levies other money taxes in the occupied territory, this can only be for military necessities or the administration of such territory. | If, in addition to the taxes mentioned in the above article, the occupant levies other money contributions in the occupied territory, this shall only be for the needs of the army or of the administration of the territory in question. |
| ARTICLE 50 | ARTICLE 50 |
| General penalty for acts of individuals forbidden. No general penalty, pecuniary or otherwise, can be inflicted on the population on account of the acts of individuals for which it can not be regarded as collectively responsible. | No general penalty, pecuniary or otherwise, shall be inflicted upon the population on account of the acts of individuals for which they can not be regarded as jointly and severally responsible. |
| ARTICLE 51 | ARTICLE 51 |
| Collection of contributions. No tax shall be collected except under a written order and on the responsibility of a commander-in-chief. | No contribution shall be collected except under a written order, and on the responsibility of a commander-in-chief. |

| 1899 | 1907 | |
|---|---|---|
| This collection shall only take place, as far as possible, in accordance with the rules in existence and the assessment of taxes in force. | The collection of the said contribution shall only be effected as far as possible in accordance with the rules of assessment and incidence of the taxes in force. | |
| For every payment a receipt shall be given to the taxpayer. | For every contribution a receipt shall be given to the contributors. | Receipts. |
| ARTICLE 52 | ARTICLE 52 | |
| Neither requisitions in kind nor services can be demanded from communes or inhabitants except for the necessities of the army of occupation. They must be in proportion to the resources of the country, and of such a nature as not to involve the population in the obligation of taking part in military operations against their country. | Requisitions in kind and services shall not be demanded from municipalities or inhabitants except for the needs of the army of occupation. They shall be in proportion to the resources of the country, and of such a nature as not to involve the inhabitants in the obligation of taking part in military operations against their own country. | Requisitions for needs of army. |
| These requisitions and services shall only be demanded on the authority of the commander in the locality occupied. | Such requisitions and services shall only be demanded on the authority of the commander in the locality occupied. | Authority. |
| The contributions in kind shall, as far as possible, be paid for in ready money; if not, their receipt shall be acknowledged. | Contributions in kind shall as far as possible be paid for in cash; if not, a receipt shall be given *and the payment of the amount due shall be made as soon as possible.* | Payment. |
| ARTICLE 53 | ARTICLE 53 | |
| An army of occupation can only take possession of the cash, funds, and property liable to requisition belonging strictly to the State, depots of arms, means of trans- | An army of occupation can only take possession of cash, funds, and realizable securities which are strictly the property of the State, depots of arms, means of trans- | Seizure of public cash, property, etc. |

| 1899 | 1907 |
|---|---|
| port, stores and supplies, and generally, all movable property of the State which may be used for military operations. | port, stores and supplies, and, generally, all movable property belonging to the State which may be used for military operations. |
| Telegraphs, transportation, etc. Railway plant, land telegraphs, telephones, steamers and other ships, apart from cases governed by maritime law, as well as depots of arms and, generally, all kinds of munitions of war, even though belonging to companies or to private persons, are likewise material which may serve for military operations, but they must be restored at the conclusion of peace, and indemnities paid for them. | *All appliances, whether on land, at sea, or in the air, adapted for the transmission of news, or for the transport of persons or things,* exclusive of cases governed by naval law, depots of arms, and, generally, all kinds of munitions of war, *may be seized, even if they belong to private individuals,* but must be restored and compensation fixed when peace is made. |
| ARTICLE 54[1] | ARTICLE 54 |
| Submarine cables to neutral territory. The plant of railways coming from neutral States, whether the property of those States, or of companies, or of private persons, shall be sent back to them as soon as possible. | *Submarine cables connecting an occupied territory with a neutral territory shall not be seized or destroyed except in the case of absolute necessity. They must likewise be restored and compensation fixed when peace is made.* |
| ARTICLE 55 | ARTICLE 55 |
| Administration of public property in occupied territory. The occupying State shall only be regarded as administrator and usufructuary of the public buildings, real property, forests and agricultural works belonging to the hostile State, and situated in the occupied country. It must protect the capital of these properties, and administer it according to the rules of usufruct. | The occupying State shall be regarded only as administrator and usufructuary of public buildings, real estate, forests, and agricultural estates belonging to the hostile State, and situated in the occupied country. It must safeguard the capital of these properties, and administer them in accordance with the rules of usufruct. |

[1]Cf. Article 19 of Convention V of 1907, *post*, p. 137.

| 1899 | 1907 | |
|---|---|---|
| ARTICLE 56 | ARTICLE 56 | |
| The property of the communes, that of religious, charitable, and educational institutions, and those of arts and science, even when State property, shall be treated as private property. | The property of municipalities, that of institutions dedicated to religion, charity and education, the arts and sciences, even when State property, shall be treated as private property. | Municipal, religious, etc., property. |
| All seizure of, and destruction, or intentional damage done to such institutions, to historical monuments, works of art or science, is prohibited, and should be made the subject of proceedings. | All seizure of, destruction or wilful damage done to institutions of this character, historic monuments, works of art and science, is forbidden, and should be made the subject of legal proceedings. | Legal proceedings for seizure, etc. |

## SECTION IV.—ON THE INTERNMENT OF BELLIGERENTS AND THE CARE OF THE WOUNDED IN NEUTRAL COUNTRIES[1]

Internment of belligerents, and care of wounded in neutral countries.

### ARTICLE 57

Confinement of belligerents in neutral territory.

A neutral State which receives in its territory troops belonging to the belligerent armies shall intern them, as far as possible, at a distance from the theatre of war.

It can keep them in camps, and even confine them in fortresses or locations assigned for this purpose.

It shall decide whether officers may be left at liberty on giving their parole that they will not

[1]In 1907 the provisions on this subject, Articles 57, 58, 59 and 60, were transferred to the Convention (V) respecting the rights and duties of neutral Powers and persons in case of war on land as Articles 11, 12, 14 and 15 thereof (*post*, p. 135). No change was made in their text except the substitution of the word "Power" for the word "State" wherever the latter appears in these articles.

1899

leave the neutral territory without authorization.

ARTICLE 58

Food, clothing, etc.

Failing a special convention, the neutral State shall supply the interned with the food, clothing, and relief required by humanity.

Reimbursements.

At the conclusion of peace, the expenses caused by the internment shall be made good.

ARTICLE 59

Transit of wounded or sick through neutral territory.

A neutral State may authorize the passage over its territory of wounded or sick belonging to the belligerent armies, on condition that the trains bringing them shall carry neither combatants nor war material. In such a case, the neutral State is bound to adopt such measures of safety and control as may be necessary for the purpose.

Neutral State must furnish guard.

Wounded and sick brought under these conditions into neutral territory by one of the belligerents, and belonging to the hostile party, must be guarded by the neutral State, so as to insure their not taking part again in the military operations. The same duty shall devolve on the neutral State with regard to wounded or sick of the other army who may be committed to its care.

1907

| 1899 | 1907 |
|---|---|

ARTICLE 60

The Geneva Convention applies to sick and wounded interned in neutral territory.

Geneva Convention applicable.

---

RATIFICATIONS, ADHESIONS AND RESERVATIONS

**The 1899 Convention** was *ratified* by all the signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | September 4, 1900 |
| Belgium | September 4, 1900 |
| Bulgaria | September 4, 1900 |
| Denmark | September 4, 1900 |
| France | September 4, 1900 |
| Germany | September 4, 1900 |
| Great Britain | September 4, 1900 |
| Greece | April 4, 1901 |
| Italy | September 4, 1900 |
| Japan | October 6, 1900 |
| Luxemburg | July 12, 1901 |
| Mexico | April 17, 1901 |
| Montenegro | October 16, 1900 |
| Netherlands | September 4, 1900 |
| Norway | July 5, 1907 |
| Persia | September 4, 1900 |
| Portugal | September 4, 1900 |
| Roumania | September 4, 1900 |
| Russia | September 4, 1900 |
| Serbia | May 11, 1901 |
| Siam | September 4, 1900 |
| Spain | September 4, 1900 |
| Sweden | July 5, 1907 |
| Turkey | June 12, 1907 |
| United States | April 9, 1902 |

*Adhesions:*

| | |
|---|---|
| Argentine Republic | June 17, 1907 |
| Bolivia | February 7, 1907 |
| Brazil | February 25, 1907 |
| Chile | June 19, 1907 |
| China | June 12, 1907 |
| Colombia | January 30, 1907 |
| Cuba | April 17, 1907 |
| Dominican Republic | April 13, 1907 |
| Ecuador | July 31, 1907 |
| Guatemala | May 2, 1906 |
| Haiti | May 24, 1907 |
| Honduras | August 21, 1906 |
| Korea | March 17, 1903 |
| Nicaragua | May 17, 1907 |
| Panama | July 20, 1907 |
| Paraguay | April 12, 1907 |
| Peru | November 24, 1903 |
| Salvador | June 20, 1902 |
| Switzerland | June 20, 1907 |
| Uruguay | June 21, 1906 |
| Venezuela | March 1, 1907 |

*Reservations:* none.

---

**The 1907 Convention** was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | November 27, 1909 |
| Belgium | August 8, 1910 |
| Bolivia | November 27, 1909 |
| Brazil | January 5, 1914 |
| Cuba | February 22, 1912 |
| Denmark | November 27, 1909 |
| France | October 7, 1910 |
| Germany | November 27, 1909 |
| Great Britain | November 27, 1909 |
| Guatemala | March 15, 1911 |
| Haiti | February 2, 1910 |

| | |
|---|---|
| Japan | December 13, 1911 |
| Luxemburg | September 5, 1912 |
| Mexico | November 27, 1909 |
| Netherlands | November 27, 1909 |
| Norway | September 19, 1910 |
| Panama | September 11, 1911 |
| Portugal | April 13, 1911 |
| Roumania | March 1, 1912 |
| Russia | November 27, 1909 |
| Salvador | November 27, 1909 |
| Siam | March 12, 1910 |
| Sweden | November 27, 1909 |
| Switzerland | May 12, 1910 |
| United States | November 27, 1909 |

*Adhesions:*

| | |
|---|---|
| Liberia | February 4, 1914 |
| Nicaragua | December 16, 1909 |

The following Powers signed the Convention but have not yet ratified:

| | |
|---|---|
| Argentine Republic | Montenegro |
| Bulgaria | Paraguay |
| Chile | Persia |
| Colombia | Peru |
| Dominican Republic | Serbia |
| Ecuador | Turkey |
| Greece | Uruguay |
| Italy | Venezuela |

*Reservations:*[1]

Austria-Hungary

Under reservation of the declaration made in the plenary session of the Conference of August 17, 1907.[2]

*Extract from the procès-verbal:*

The delegation of Austria-Hungary having accepted the new Article 22*a*,[3] on condition that Article 44 of the Convention now in force be maintained as it is, can not consent to the Article 44*a*, proposed by the Second Commission.[4]

---

[1]All these reservations were made at signature.
[2]Reservation maintained at ratification.
[3]The proposed Article 22*a* became the last paragraph of Article 23.
[4]Statement of Mr. Mérey von Kapos-Mére. *Actes et documents,* vol. i, p. 86.

Germany

Under reservation of Article 44 of the annexed Regulations.[1]

Japan

With reservation of Article 44.[1]

Montenegro

Under the reservations formulated as to Article 44 of the Regulations annexed to the present Convention and contained in the minutes of the fourth plenary session of August 17, 1907.

*Extract from the procès-verbal:*

The delegation of Montenegro has the honor to declare that having accepted the new Article 22*a*, proposed by the delegation of Germany, in the place of Article 44 of the existing Regulations of 1899, it makes reservations on the subject of the new wording of the said Article 44*a*.[2]

Russia

Under the reservations formulated as to Article 44 of the Regulations annexed to the present Convention and contained in the minutes of the fourth plenary session of August 17, 1907.[1]

*Extract from the procès-verbal:*

The delegation of Russia has the honor to declare that having accepted the new Article 22*a*, proposed by the delegation of Germany, in the place of Article 44 of the existing Regulations of 1899, it makes reservations on the subject of the new wording of the said Article 44*a*.[3]

Turkey

Under reservation of Article 3.

---

[1]Reservation maintained at ratification.
[2]Statement of Mr. Tcharykow. *Actes et documents*, vol. i, p. 86.
[3]Statement of Mr. Martens. *Ibid.*

## CONVENTION (V) RESPECTING THE RIGHTS AND DUTIES OF NEUTRAL POWERS AND PERSONS IN CASE OF WAR ON LAND

Signed at The Hague, October 18, 1907

His Majesty the German Emperor, King of Prussia; [etc.]:

With a view to laying down more clearly the rights and duties of neutral Powers in case of war on land and regulating the position of the belligerents who have taken refuge in neutral territory; Purpose of Convention.

Being likewise desirous of defining the meaning of the term "neutral," pending the possibility of settling, in its entirety, the position of neutral individuals in their relations with the belligerents;

Have resolved to conclude a Convention to this effect, and have, in consequence, appointed the following as their plenipotentiaries: Plenipotentiaries

[Here follow the names of the plenipotentiaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions:

### CHAPTER I.—*The Rights and Duties of Neutral Powers* Rights and duties of neutral Powers.

#### ARTICLE 1

The territory of neutral Powers is inviolable. Territory inviolable.

#### ARTICLE 2

Belligerents are forbidden to move troops or convoys of either munitions of war or supplies across the territory of a neutral Power. Use by belligerents forbidden.

#### ARTICLE 3

Belligerents are likewise forbidden to—

(*a*) Erect on the territory of a neutral Power a wireless telegraphy station or other apparatus for the purpose of communicating with belligerent forces on land or sea; Establishing wireless telegraph stations forbidden.

(*b*) Use of any installation of this kind established by them before Use of military installation.

the war on the territory of a neutral Power for purely military purposes, and which has not been opened for the service of public messages.

ARTICLE 4

Recruiting, etc., forbidden.

Corps of combatants can not be formed nor recruiting agencies opened on territory of a neutral Power to assist the belligerents.

ARTICLE 5

Prevention by neutrals.

A neutral Power must not allow any of the acts referred to in Articles 2 to 4 to occur on its territory.

It is not called upon to punish acts in violation of its neutrality unless the said acts have been committed on its own territory.

ARTICLE 6

Crossing frontier to enlist.

The responsibility of a neutral Power is not engaged by the fact of persons crossing the frontier separately to offer their services to one of the belligerents.

ARTICLE 7

Shipment of arms.

A neutral Power is not called upon to prevent the export or transport, on behalf of one or other of the belligerents, of arms, munitions of war, or, in general, of anything which can be of use to an army or a fleet.

ARTICLE 8

Use of telegraph, etc., apparatus.

A neutral Power is not called upon to forbid or restrict the use on behalf of the belligerents of telegraph or telephone cables or of wireless telegraphy apparatus belonging to it or to companies or private individuals.

ARTICLE 9

Impartial treatment of belligerents.

Every measure of restriction or prohibition taken by a neutral Power in regard to the matters referred to in Articles 7 and 8 must be impartially applied by it to both belligerents.

A neutral Power must see to the same obligation being observed by companies or private individuals owning telegraph or telephone cables or wireless telegraphy apparatus.

### Article 10

Resisting violations of neutrality.

The fact of a neutral Power resisting, even by force, attempts to violate its neutrality can not be regarded as a hostile act.

## Chapter II.—*Belligerents Interned and Wounded Tended in Neutral Territory*

Belligerents in neutral territory.

### Article 11[1]

Detention far from seat of war.

A neutral Power which receives on its territory troops belonging to the belligerent armies shall intern them, as far as possible, at a distance from the theatre of war.

Detention camps, etc.

It may keep them in camps and even confine them in fortresses or in places set apart for this purpose.

Parole to officers.

It shall decide whether officers can be left at liberty on giving their parole not to leave the neutral territory without permission.

### Article 12[1]

Supplies to the interned.

In the absence of a special convention to the contrary, the neutral Power shall supply the interned with the food, clothing, and relief required by humanity.

At the conclusion of peace the expenses caused by the internment shall be made good.

### Article 13

Escaped prisoners of war.

A neutral Power which receives escaped prisoners of war shall leave them at liberty. If it allows them to remain in its territory it may assign them a place of residence.

The same rule applies to prisoners of war brought by troops taking refuge in the territory of a neutral Power.

### Article 14[1]

Care of sick and wounded.

A neutral Power may authorize the passage over its territory of the sick and wounded belonging to the belligerent armies, on condition that the trains bringing them shall carry neither personnel nor war material. In such a case, the neutral Power is bound to take whatever measures of safety and control are necessary for the purpose.

---

[1]Articles 11, 12, 14 and 15 are identical in the original French with Articles 57, 58, 59 and 60 (*ante*, p. 127) respectively of the 1899 Convention (II) respecting the laws and customs of war on land, except for the substitution of "Power" for "State."

The sick or wounded brought under these conditions into neutral territory by one of the belligerents, and belonging to the hostile party, must be guarded by the neutral Power so as to ensure their not taking part again in the military operations. The same duty shall devolve on the neutral State with regard to wounded or sick of the other army who may be committed to its care.

### Article 15[1]

Application of Geneva Convention.

The Geneva Convention applies to sick and wounded interned in neutral territory.

Neutral persons.

## Chapter III.—*Neutral Persons*

### Article 16[2]

Definition.

The nationals of a State which is not taking part in the war are considered as neutrals.

### Article 17[2]

Acts prohibited.

A neutral can not avail himself of his neutrality—

(*a*) If he commits hostile acts against a belligerent;

(*b*) If he commits acts in favor of a belligerent, particularly if he voluntarily enlists in the ranks of the armed force of one of the parties.

In such a case, the neutral shall not be more severely treated by the belligerent as against whom he has abandoned his neutrality than a national of the other belligerent State could be for the same act.

### Article 18[2]

Acts not prohibited.

The following acts shall not be considered as committed in favor of one belligerent in the sense of Article 17, letter (*b*):

(*a*) Supplies furnished or loans made to one of the belligerents, provided that the person who furnishes the supplies or who makes the loans lives neither in the territory of the other party nor in the territory occupied by him, and that the supplies do not come from these territories;

(*b*) Services rendered in matters of police or civil administration.

---

[1]Articles 11, 12, 14 and 15 are identical in the original French with Articles 57, 58, 59 and 60 (*ante*, p. 127) respectively of the 1899 Convention (II) respecting the laws and customs of war on land, except for the substitution of "Power" for "State."

[2]Great Britain made reservation of Articles 16, 17 and 18.

## CHAPTER IV.—*Railway Material*

Railway material.

### ARTICLE 19[1]

Use by belligerents of neutral property.

Railway material coming from the territory of neutral Powers, whether it be the property of the said Powers or of companies or private persons, and recognizable as such, shall not be requisitioned or utilized by a belligerent except where and to the extent that it is absolutely necessary. It shall be sent back as soon as possible to the country of origin.

Use of belligerent property by neutrals.

A neutral Power may likewise, in case of necessity, retain and utilize to an equal extent material coming from the territory of the belligerent Power.

Compensation.

Compensation shall be paid by one party or the other in proportion to the material used, and to the period of usage.

## CHAPTER V.—*Final Provisions*

### ARTICLE 20

Powers bound.

The provisions of the present Convention do not apply except between contracting Powers, and then only if all the belligerents are parties to the Convention.

### ARTICLE 21

Ratification.

The present Convention shall be ratified as soon as possible.

Deposit at The Hague.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherland Government and accompanied by the instrument of ratification.

Certified copies to Powers.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, and of the instruments of ratification shall be immediately sent by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph, the said Government shall at the same time inform them of the date on which it received the notification.

---

[1]The Argentine Republic made reservation of Article 19.

### Article 22

Adherence of non-signatory Powers.

Non-signatory Powers may adhere to the present Convention.

Notification of intent.

The Power which desires to adhere notifies its intention in writing to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

Communication to other Powers.

This Government shall immediately forward to all the other Powers a duly certified copy of the notification as well as of the act of adhesion, mentioning the date on which it received the notification.

### Article 23

Effect of ratification.

The present Convention shall come into force, in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of this deposit, and, in the case of the Powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.

### Article 24

Denunciation.

In the event of one of the contracting Powers wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall immediately communicate a duly certified copy of the notification to all the other Powers, informing them at the same time of the date on which it was received.

Notifying Power only affected.

The denunciation shall only have effect in regard to the notifying Power, and one year after the notification has reached the Netherland Government.

### Article 25

Register of ratifications.

A register kept by the Netherland Ministry of Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article 21, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 22, paragraph 2) or of denunciation (Article 24, paragraph 1) have been received.

Each contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

Signing.

In faith whereof the plenipotentiaries have appended their signatures to the present Convention.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the Powers which have been invited to the Second Peace Conference. Deposit of original.

[Here follow signatures.]

---

### RATIFICATIONS, ADHESIONS AND RESERVATIONS

The foregoing Convention was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | November 27, 1909 |
| Belgium | August 8, 1910 |
| Bolivia | November 27, 1909 |
| Brazil | January 5, 1914 |
| Cuba | February 22, 1912 |
| Denmark | November 27, 1909 |
| France | October 7, 1910 |
| Germany | November 27, 1909 |
| Guatemala | March 15, 1911 |
| Haiti | February 2, 1910 |
| Japan | December 13, 1911 |
| Luxemburg | September 5, 1912 |
| Mexico | November 27, 1909 |
| Netherlands | November 27, 1909 |
| Norway | September 19, 1910 |
| Panama | September 11, 1911 |
| Portugal | April 13, 1911 |
| Roumania | March 1, 1912 |
| Russia | November 27, 1909 |
| Salvador | November 27, 1909 |
| Siam | March 12, 1910 |
| Spain | March 18, 1913 |
| Sweden | November 27, 1909 |
| Switzerland | May 12, 1910 |
| United States | November 27, 1909 |

*Adhesions:*

China ..... January 15, 1910
Liberia ..... February 4, 1914
Nicaragua ..... December 16, 1909

The following Powers signed the Convention but have not yet ratified:

Argentine Republic
Bulgaria
Chile
Colombia
Dominican Republic
Ecuador
Great Britain
Greece
Italy
Montenegro
Paraguay
Persia
Peru
Serbia
Turkey
Uruguay
Venezuela

*Reservations:*[1]

Argentine Republic

The Argentine Republic makes reservation of Article 19.

Great Britain

Under reservation of Articles 16, 17 and 18.

[1]These reservations were made at signature.

## CONVENTION (VI) RELATING TO THE STATUS OF ENEMY MERCHANT SHIPS AT THE OUTBREAK OF HOSTILITIES

Signed at The Hague, October 18, 1907

His Majesty the German Emperor, King of Prussia; [etc.]:

Purpose of Convention.

Anxious to ensure the security of international commerce against the surprises of war, and wishing, in accordance with modern practice, to protect as far as possible operations undertaken in good faith and in process of being carried out before the outbreak of hostilities, have resolved to conclude a Convention to this effect, and have appointed the following persons as their plenipotentiaries:

Plenipotentiaries

[Here follow the names of plenipotentiaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions:

### Article 1

Belligerent merchant ships in enemy ports at commencement of hostilities may depart freely.

When a merchant ship belonging to one of the belligerent Powers is at the commencement of hostilities in an enemy port, it is desirable that it should be allowed to depart freely, either immediately, or after a reasonable number of days of grace, and to proceed, after being furnished with a pass, direct to its port of destination or any other port indicated.

The same rule should apply in the case of a ship which has left its last port of departure before the commencement of the war and entered a port belonging to the enemy while still ignorant that hostilities had broken out.

### Article 2

May not be confiscated.

A merchant ship unable, owing to circumstances of *force majeure*, to leave the enemy port within the period contemplated in the above article, or which was not allowed to leave, can not be confiscated.

May be detained or requisitioned.

The belligerent may only detain it, without payment of compensation, but subject to the obligation of restoring it after the war, or requisition it on payment of compensation.

### Article 3[1]

Enemy merchant ships on high seas.

Enemy merchant ships which left their last port of departure before the commencement of the war, and are encountered on the high seas while still ignorant of the outbreak of hostilities can not be confiscated.

Liable to detention, requisition or demolition.

They are only liable to detention on the understanding that they shall be restored after the war without compensation, or to be requisitioned, or even destroyed, on payment of compensation, but in such cases provision must be made for the safety of the persons on board as well as the security of the ship's papers.

Subject to laws and customs of maritime war.

After touching at a port in their own country or at a neutral port, these ships are subject to the laws and customs of maritime war.

### Article 4

Enemy cargo.

Enemy cargo on board the vessels referred to in Articles 1 and 2 is likewise liable to be detained and restored after the termination of the war without payment of compensation, or to be requisitioned on payment of compensation, with or without the ship.

The same rule applies in the case of cargo on board the vessels referred to in Article 3.[1]

### Article 5

Merchant ships intended for conversion into war-ships.

The present Convention does not affect merchant ships whose build shows that they are intended for conversion into war-ships.

### Article 6

Powers bound.

The provisions of the present Convention do not apply except between contracting Powers, and then only if all the belligerents are parties to the Convention.

### Article 7

Ratifications.

The present Convention shall be ratified as soon as possible.

Deposit at The Hague.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a

---

[1]For reservations of Germany and Russia, see p. 145.

written notification addressed to the Netherland Government and accompanied by the instrument of ratification.

Certified copies to Powers.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph, the said Government shall at the same time inform them of the date on which it received the notification.

### Article 8

Non-signatory Powers may adhere to the present Convention.

Non-signatory Powers may adhere.

The Power which desires to adhere notifies in writing its intention to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

Notification to other Powers.

The said Government shall at once transmit to all the other Powers a duly certified copy of the notification as well as of the act of adhesion, stating the date on which it received the notification.

### Article 9

Effect of ratification.

The present Convention shall come into force, in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of that deposit, and, in the case of the Powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.

### Article 10

Denunciation.

In the event of one of the contracting Powers wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall at once communicate a certified copy of the notification to all the other Powers, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying Power, and one year after the notification has reached the Netherland Government.

ARTICLE 11

Register of ratifications.

A register kept by the Ministry of Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article 7, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 8, paragraph 2) or of denunciation (Article 10, paragraph 1) have been received.

Each contracting Power is entitled to have access to this register and to be supplied with certified extracts from it.

Signing.

In faith whereof the plenipotentiaries have appended to the present Convention their signatures.

Deposit of original.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent through the diplomatic channel, to the Powers which have been invited to the Second Peace Conference.

[Here follow signatures.]

---

RATIFICATIONS, ADHESIONS AND RESERVATIONS

The foregoing Convention was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | November 27, 1909 |
| Belgium | August 8, 1910 |
| Brazil | January 5, 1914 |
| Cuba | February 22, 1912 |
| Denmark | November 27, 1909 |
| France | October 7, 1910 |
| Germany | November 27, 1909 |
| Great Britain | November 27, 1909 |
| Guatemala | March 15, 1911 |
| Haiti | February 2, 1910 |
| Japan | December 13, 1911 |
| Luxemburg | September 5, 1912 |
| Mexico | November 27, 1909 |
| Netherlands | November 27, 1909 |
| Norway | September 19, 1910 |
| Panama | September 11, 1911 |
| Portugal | April 13, 1911 |

Roumania .....March 1, 1912
Russia .....November 27, 1909
Salvador .....November 27, 1909
Siam .....March 12, 1910
Spain .....March 18, 1913
Sweden .....November 27, 1909
Switzerland .....May 12, 1910

*Adhesions:*

Liberia .....February 4, 1914
Nicaragua .....December 16, 1909

The following Powers signed the Convention but have not yet ratified:

Argentine Republic
Bolivia
Bulgaria
Chile
Colombia
Dominican Republic
Ecuador
Greece
Italy
Montenegro
Paraguay
Persia
Peru
Serbia
Turkey
Uruguay
Venezuela

*Reservations:*[1]

Germany

Under reservation of Article 3 and of Article 4, paragraph 2.[2]

Russia

Under the reservations made as to Article 3 and Article 4, paragraph 2, of the present Convention, and recorded in the minutes of the seventh plenary session of September 27, 1907.[2]

---

[1]These reservations were made at signature and maintained at ratification.

[2]The German and Russian delegations considered that these provisions established an inequality between States in imposing financial burdens on those Powers which, lacking naval stations in different parts of the world, are not in a position to take vessels which they have seized into a port, but find themselves compelled to destroy them. *Actes et documents,* vol. i, p. 236; vol. iii, p. 918.

## CONVENTION (VII) RELATING TO THE CONVERSION OF MERCHANT SHIPS INTO WAR-SHIPS

Signed at The Hague, October 18, 1907.

His Majesty the German Emperor, King of Prussia; [etc.]:

Purpose of Convention.

Whereas it is desirable, in view of the incorporation in time of war of merchant ships in the fighting fleet, to define the conditions subject to which this operation may be effected;

Whereas, however, the contracting Powers have been unable to come to an agreement on the question whether the conversion of a merchant ship into a war-ship may take place upon the high seas, it is understood that the question of the place where such conversion is effected remains outside the scope of this agreement and is in no way affected by the following rules;

Plenipotentiaries

Being desirous of concluding a Convention to this effect, have appointed the following as their plenipotentiaries:

[Here follow the names of plenipoteniaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions:

### Article 1

Converted merchant ships to be under State control.

A merchant ship converted into a war-ship can not have the rights and duties accruing to such vessels unless it is placed under the direct authority, immediate control, and responsibility of the Power whose flag it flies.

### Article 2

Must bear distinguishing marks.

Merchant ships converted into war-ships must bear the external marks which distinguish the war-ships of their nationality.

### Article 3

Commander must be duly commissioned.

The commander must be in the service of the State and duly commissioned by the competent authorities. His name must figure on the list of the officers of the fighting fleet.

ARTICLE 4

The crew must be subject to military discipline.

Crew subject to military discipline.

ARTICLE 5

Every merchant ship converted into a war-ship must observe in its operations the laws and customs of war.

Must observe law and customs of war.

ARTICLE 6

A belligerent who converts a merchant ship into a war-ship must, as soon as possible, announce such conversion in the list of war-ships.

Conversion must be announced.

ARTICLE 7

The provisions of the present Convention do not apply except between contracting Powers, and then only if all the belligerents are parties to the Convention.

Powers bound.

ARTICLE 8

The present Convention shall be ratified as soon as possible.

Ratification.

The ratifications shall be deposited at The Hague.

Deposit at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the Powers who take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherland Government and accompanied by the instrument of ratification.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph the said Government shall at the same time inform them of the date on which it received the notification.

Certified copies to Powers.

ARTICLE 9

Non-signatory Powers may adhere to the present Convention.

Non-signatory Powers may adhere.

The Power which desires to adhere notifies its intention in writing

to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

Notification to other Powers.

That Government shall at once transmit to all the other Powers a duly certified copy of the notification as well as of the act of adhesion, stating the date on which it received the notification.

### Article 10

Effect of Convention.

The present Convention shall come into force, in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of this deposit, and, in the case of the Powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.

### Article 11

Denunciation.

In the event of one of the contracting Powers wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall at once communicate a duly certified copy of the notification to all the other Powers, informing them of the date on which it was received.

The denunciation shall only have effect in regard to the notifying Power, and one year after the notification has reached the Netherland Government.

### Article 12

Register of ratifications.

A register kept by the Netherland Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article 8, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 9, paragraph 2) or of denunciation (Article 11, paragraph 1) have been received.

Each contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

Signing.

In faith whereof the plenipotentiaries have appended their signatures to the present Convention.

Deposit of original.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the Powers which have been invited to the Second Peace Conference.

[Here follow signatures.]

### RATIFICATIONS, ADHESIONS AND RESERVATIONS

The foregoing Convention was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | November 27, 1909 |
| Belgium | August 8, 1910 |
| Brazil | January 5, 1914 |
| Denmark | November 27, 1909 |
| France | October 7, 1910 |
| Germany | November 27, 1909 |
| Great Britain | November 27, 1909 |
| Guatemala | March 15, 1911 |
| Haiti | February 2, 1910 |
| Japan | December 13, 1911 |
| Luxemburg | September 5, 1912 |
| Mexico | November 27, 1909 |
| Netherlands | November 27, 1909 |
| Norway | September 19, 1910 |
| Panama | September 11, 1911 |
| Portugal | April 13, 1911 |
| Roumania | March 1, 1912 |
| Russia | November 27, 1909 |
| Salvador | November 27, 1909 |
| Siam | March 12, 1910 |
| Spain | March 18, 1913 |
| Sweden | November 27, 1909 |
| Switzerland | May 12, 1910 |

*Ahesions:*

| | |
|---|---|
| Liberia | February 4, 1914 |
| Nicaragua | December 16, 1909 |

The following Powers signed the Convention but have not yet ratified:

| | |
|---|---|
| Argentine Republic | Italy |
| Bolivia | Montenegro |
| Bulgaria | Paraguay |
| Chile | Persia |
| Colombia | Peru |
| Cuba | Serbia |
| Ecuador | Turkey |
| Greece | Venezuela |

*Reservation:*[1]

Turkey

Under reservation of the declaration made at the eighth plenary session of the Conference of October 9, 1907.

*Extract from the procès-verbal:*

The Imperial Ottoman Government does not engage to recognize as vessels of war, ships which, being in its waters or on the high seas under a merchant flag, are converted on the opening of hostilities.[2]

---

[1]This reservation was made at signature.
[2]*Actes et documents,* vol. i, p. 277.

## CONVENTION (VIII) RELATIVE TO THE LAYING OF AUTOMATIC SUBMARINE CONTACT MINES

Signed at The Hague, October 18, 1907

His Majesty the German Emperor, King of Prussia; [etc.]:

Purpose of Convention.

Inspired by the principle of the freedom of sea routes, the common highway of all nations;

Seeing that, although the existing position of affairs makes it impossible to forbid the employment of automatic submarine contact mines, it is nevertheless desirable to restrict and regulate their employment in order to mitigate the severity of war and to ensure, as far as possible, to peaceful navigation the security to which it is entitled, despite the existence of war;

Until such time as it is found possible to formulate rules on the subject which shall ensure to the interests involved all the guarantees desirable;

Have resolved to conclude a Convention for this purpose, and have appointed the following as their plenipotentiaries:

[Here follow the names of plenipotentiaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions:

### Article 1

Prohibitions.

It is forbidden—

Unanchored automatic contact mines.

1. To lay unanchored automatic contact mines, except when they are so constructed as to become harmless one hour at most after the person who laid them ceases to control them;[1]

Anchored contact mines.

2. To lay anchored automatic contact mines which do not become harmless as soon as they have broken loose from their moorings;

Torpedoes.

3. To use torpedoes which do not become harmless when they have missed their mark.

### Article 2[2]

Mines to intercept commercial shipping.

It is forbidden to lay automatic contact mines off the coast and ports of the enemy, with the sole object of intercepting commercial shipping.

---

[1]The Dominican Republic and Siam signed under reservation of this paragraph. See also the general reservation of Turkey, *post*, p. 156.

[2]France and Germany signed under reservation of Article 2.

ARTICLE 3

Protection of peaceful shipping

When anchored automatic contact mines are employed, every possible precaution must be taken for the security of peaceful shipping.

Notice of danger zones.

The belligerents undertake to do their utmost to render these mines harmless within a limited time, and, should they cease to be under surveillance, to notify the danger zones as soon as military exigencies permit, by a notice addressed to ship owners, which must also be communicated to the Governments through the diplomatic channel.

ARTICLE 4

Mines laid by neutral Powers.

Neutral Powers which lay automatic contact mines off their coasts must observe the same rules and take the same precautions as are imposed on belligerents.

The neutral Power must inform ship owners, by a notice issued in advance, where automatic contact mines have been laid. This notice must be communicated at once to the Governments through the diplomatic channel.

ARTICLE 5

Removal at close of war.

At the close of the war, the contracting Powers undertake to do their utmost to remove the mines which they have laid, each Power removing its own mines.

Notification of position.

As regards anchored automatic contact mines laid by one of the belligerents off the coast of the other, their position must be notified to the other party by the Power which laid them, and each Power must proceed with the least possible delay to remove the mines in its own waters.

ARTICLE 6[1]

Adoption of perfected mines.

The contracting Powers which do not at present own perfected mines of the pattern contemplated in the present Convention, and which, consequently, could not at present carry out the rules laid down in Articles 1 and 3, undertake to convert the *matériel* of their mines as soon as possible, so as to bring it into conformity with the foregoing requirements.

ARTICLE 7

Powers bound

The provisions of the present Convention do not apply except between contracting Powers, and then only if all the belligerents are parties to the Convention.

---

[1]See the declaration of Turkey, *post*, p. 156.

### Article 8

Ratification.

The present Convention shall be ratified as soon as possible.

Deposit at The Hague.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherland Government and accompanied by the instrument of ratification.

Certified copies to Powers.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent, by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph, the said Government shall inform them at the same time of the date on which it has received the notification.

### Article 9

Adherence of non-signatory Powers.

Non-signatory Powers may adhere to the present Convention.

Notification of intent.

The Power which desires to adhere notifies in writing its intention to the Netherland Government, transmitting to it the act of adhesion, which shall be deposited in the archives of the said Government.

Communication to other Powers.

This Government shall at once transmit to all the other Powers a duly certified copy of the notification as well as of the act of adhesion, stating the date on which it received the notification.

### Article 10

Effect of ratification.

The present Convention shall come into force, in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of this deposit, and, in the case of the Powers which ratify subsequently or adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.

### Article 11

Duration. The present Convention shall remain in force for seven years, dating from the sixtieth day after the date of the first deposit of ratifications.

Denunciation. Unless denounced, it shall continue in force after the expiration of this period.

The denunciation shall be notified in writing to the Netherland Government, which shall at once communicate a duly certified copy of the notification to all the Powers, informing them of the date on which it was received.

Notifying Power only affected. The denunciation shall only have effect in regard to the notifying Power, and six months after the notification has reached the Netherland Government.

### Article 12

Reopening question. The contracting Powers undertake to reopen the question of the employment of automatic contact mines six months before the expiration of the period contemplated in the first paragraph of the preceding article, in the event of the question not having been already reopened and settled by the Third Peace Conference.

New Convention. If the contracting Powers conclude a fresh Convention relative to the employment of mines, the present Convention shall cease to be applicable from the moment it comes into force.

### Article 13

Register of ratifications. A register kept by the Netherland Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article 8, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 9, paragraph 2) or of denunciation (Article 11, paragraph 3) have been received.

Each contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

Signing. In faith whereof the plenipotentiaries have appended their signatures to the present Convention.

Deposit of original. Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the Powers which have been invited to the Second Peace Conference.

[Here follow signatures.]

### RATIFICATIONS, ADHESIONS AND RESERVATIONS

The foregoing Convention was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | November 27, 1909 |
| Belgium | August 8, 1910 |
| Brazil | January 5, 1914 |
| Denmark | November 27, 1909 |
| France | October 7, 1910 |
| Germany | November 27, 1909 |
| Great Britain | November 27, 1909 |
| Guatemala | March 15, 1911 |
| Haiti | February 2, 1910 |
| Japan | December 13, 1911 |
| Luxemburg | September 5, 1912 |
| Mexico | November 27, 1909 |
| Netherlands | November 27, 1909 |
| Norway | September 19, 1910 |
| Panama | September 11, 1911 |
| Roumania | March 1, 1912 |
| Salvador | November 27, 1909 |
| Siam | March 12, 1910 |
| Switzerland | May 12, 1910 |
| United States | November 27, 1909 |

*Adhesions:*

| | |
|---|---|
| Liberia | February 4, 1914 |
| Nicaragua | December 16, 1909 |

The following Powers signed the Convention but have not yet ratified:

Argentine Republic
Bolivia
Bulgaria
Chile
Colombia
Cuba
Dominican Republic
Ecuador
Greece
Italy
Paraguay
Persia
Peru
Serbia
Turkey
Uruguay
Venezuela

*Reservations:*[1]

Dominican Republic

With reservation as to the first paragraph of Article 1.

France

Under reservation of Article 2.[2]

Germany

Under reservation of Article 2.[2]

Great Britain

Under reservation of the following declaration:

> In affixing their signatures to the above Convention the British plenipotentiaries declare that the mere fact that this Convention does not prohibit a particular act or proceeding must not be held to debar His Britannic Majesty's Government from contesting its legitimacy.[2]

Siam

Under reservation of Article 1, paragraph 1.[2]

Turkey

Under reservation of the declarations recorded in the *procès-verbal* of the eighth plenary session of the Conference held on October 9, 1907.

*Extract from the procès-verbal:*

> The Imperial Ottoman delegation can not at the present time undertake any engagement whatever for perfected systems which are not yet universally known. * * * The Imperial Ottoman delegation believes that it should declare that, given the exceptional situation created by treaties in force of the straits of the Dardanelles and the Bosphorus, straits which are an integral part of the territory, the Imperial Government could not in any way subscribe to any undertaking tending to limit the means of defense that it may deem necessary to employ for these straits in case of war or with the aim of causing its neutrality to be respected. * * * The Imperial Ottoman delegation can not at the present time take part in any engagement as regards the conversion mentioned in Article 6.[3]

---

[1]All these reservations were made at signature.
[2]Reservation maintained at ratification.
[3]Statement of Turkhan Pasha. *Actes et documents*, vol. i, p. 280.

## CONVENTION (IX) CONCERNING BOMBARDMENT BY NAVAL FORCES IN TIME OF WAR

Signed at The Hague, October 18, 1907

His Majesty the German Emperor, King of Prussia; [etc.]:

Purpose of Convention.

Animated by the desire to realize the wish expressed by the First Peace Conference respecting the bombardment by naval forces of undefended ports, towns, and villages;

Whereas it is expedient that bombardments by naval forces should be subject to rules of general application which would safeguard the rights of the inhabitants and assure the preservation of the more important buildings, by applying as far as possible to this operation of war the principles of the Regulation of 1899 respecting the laws and customs of land war;

Actuated, accordingly, by the desire to serve the interests of humanity and to diminish the severity and disasters of war;

Have resolved to conclude a Convention to this effect, and have, for this purpose, appointed the following as their plenipotentiaries:

[Here follow the names of the plenipotentiaries.]

Who, after depositing their full powers, found in good and due form, have agreed upon the following provisions:

### CHAPTER I.—*The Bombardment of Undefended Ports, Towns, Villages, Dwellings, or Buildings*

#### ARTICLE 1

Bombardment of undefended ports, etc., forbidden.

The bombardment by naval forces of undefended ports, towns, villages, dwellings, or buildings is forbidden.

A place cannot be bombarded solely because automatic submarine contact mines are anchored off the harbor.[1]

#### ARTICLE 2

Military works, etc., excepted.

Military works, military or naval establishments, depots of arms or war *matériel*, workshops or plant which could be utilized for the

[1] France, Germany, Great Britain and Japan made reservations of this paragraph.

needs of the hostile fleet or army, and the ships of war in the harbor, are not, however, included in this prohibition. The commander of a naval force may destroy them with artillery, after a summons followed by a reasonable time of waiting, if all other means are impossible, and when the local authorities have not themselves destroyed them within the time fixed.

Unavoidable damage.

He incurs no responsibility for any unavoidable damage which may be caused by a bombardment under such circumstances.

Precautionary measures.

If for military reasons immediate action is necessary, and no delay can be allowed the enemy, it is understood that the prohibition to bombard the undefended town holds good, as in the case given in paragraph 1, and that the commander shall take all due measures in order that the town may suffer as little harm as possible.

### Article 3[1]

Bombardment on declining to furnish provisions, etc., to fleet.

After due notice has been given, the bombardment of undefended ports, towns, villages, dwellings, or buildings may be commenced, if the local authorities, after a formal summons has been made to them, decline to comply with requisitions for provisions or supplies necessary for the immediate use of the naval force before the place in question.

These requisitions shall be in proportion to the resources of the place. They shall only be demanded in the name of the commander of the said naval force, and they shall, as far as possible, be paid for in cash; if not, they shall be evidenced by receipts.

### Article 4

Money contributions.

Undefended ports, towns, villages, dwellings, or buildings may not be bombarded on account of failure to pay money contributions.

## Chapter II.—*General Provisions*

### Article 5

Buildings, etc., to be spared.

In bombardments by naval forces all the necessary measures must be taken by the commander to spare as far as possible sacred edifices, buildings used for artistic, scientific, or charitable purposes, historic monuments, hospitals, and places where the sick or wounded are collected, on the understanding that they are not used at the same time for military purposes.

---

[1]Chile made reservation of Article 3.

Indications required.

It is the duty of the inhabitants to indicate such monuments, edifices, or places by visible signs, which shall consist of large, stiff rectangular panels divided diagonally into two colored triangular portions, the upper portion black, the lower portion white.

### Article 6

Warning to authorities.

If the military situation permits, the commander of the attacking naval force, before commencing the bombardment, must do his utmost to warn the authorities.

### Article 7

Pillage forbidden.

A town or place, even when taken by storm, may not be pillaged.

## Chapter III.—*Final Provisions*

### Article 8

Powers bound.

The provisions of the present Convention do not apply except between contracting Powers, and then only if all the belligerents are parties to the Convention.

### Article 9

Ratification.

The present Convention shall be ratified as soon as possible.

Deposit at The Hague.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the Powers which take part therein and by the Netherland Minister of Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherland Government and accompanied by the instrument of ratification.

Certified copies to the Powers.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph, the said Government shall inform them at the same time of the date on which it received the notification.

### Article 10

Adhesion of non-signatory Powers.

Non-signatory Powers may adhere to the present Convention.

Notification of intent.

The Power which desires to adhere shall notify its intention to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

Communication to other Powers.

This Government shall immediately forward to all the other Powers a duly certified copy of the notification, as well as of the act of adhesion, mentioning the date on which it received the notification.

### Article 11

Effect of ratification.

The present Convention shall come into force, in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the date of the *procès-verbal* of that deposit, and, in the case of the Powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.

### Article 12

Denunciation.

In the event of one of the contracting Powers wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall at once communicate a duly certified copy of the notification to all the other Powers informing them of the date on which it was received.

Notifying Power only affected.

The denunciation shall only have effect in regard to the notifying Power, and one year after the notification has reached the Netherland Government.

### Article 13

Register of ratifications.

A register kept by the Netherland Minister for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article 9, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 10, paragraph 2) or of denunciation (Article 12, paragraph 1) have been received.

Each contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

Signing.

In faith whereof the plenipotentiaries have appended their signatures to the present Convention.

Deposit of original.

Done at The Hague, the 18th October, 1907, in a single copy, which

shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the Powers which have been invited to the Second Peace Conference.

[Here follow signatures.]

---

### RATIFICATIONS, ADHESIONS AND RESERVATIONS

The foregoing Convention was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | November 27, 1909 |
| Belgium | August 8, 1910 |
| Bolivia | November 27, 1909 |
| Brazil | January 5, 1914 |
| Cuba | February 22, 1912 |
| Denmark | November 27, 1909 |
| France | October 7, 1910 |
| Germany | November 27, 1909 |
| Great Britain | November 27, 1909 |
| Guatemala | March 15, 1911 |
| Haiti | February 2, 1910 |
| Japan | December 13, 1911 |
| Luxemburg | September 5, 1912 |
| Mexico | November 27, 1909 |
| Netherlands | November 27, 1909 |
| Norway | September 19, 1910 |
| Panama | September 11, 1911 |
| Portugal | April 13, 1911 |
| Roumania | March 1, 1912 |
| Russia | November 27, 1909 |
| Salvador | November 27, 1909 |
| Siam | March 12, 1910 |
| Sweden | November 27, 1909 |
| Switzerland | May 12, 1910 |
| United States | November 27, 1909 |

*Adhesions:*

China ..... January 15, 1910
Liberia ..... February 4, 1914
Nicaragua ..... December 16, 1909
Spain ..... February 24, 1913

The following Powers signed the Convention but have not yet ratified:

Argentine Republic
Bulgaria
Chile
Colombia
Dominican Republic
Ecuador
Greece
Italy
Montenegro
Paraguay
Persia
Peru
Serbia
Turkey
Uruguay
Venezuela

*Reservations:*[1]

Chile

Under the reservation of Article 3 made at the fourth plenary session of August 17.

*Extract from the procès-verbal:*

The delegation of Chile makes reservation as to Article 3.[2]

France

Under reservation of the second paragraph of Article 1.[3]

Germany

Under reservation of Article 1, paragraph 2.[3]

Great Britain

Under reservation of the second paragraph of Article 1.[3]

Japan

With reservation of paragraph 2 of Article 1.[3]

---

[1]All these reservations were made at signature.
[2]Statement of Mr. Domingo Gana. *Actes et documents,* vol. i, p. 90.
[3]Reservation maintained at ratification.

## THE HAGUE CONVENTIONS OF 1899 (III) AND 1907 (X) FOR THE ADAPTATION TO MARITIME WARFARE OF THE PRINCIPLES OF THE GENEVA CONVENTION

### 1899

CONVENTION (III) for the adaptation to maritime warfare of the principles of the Geneva Convention of August 22, 1864.—Signed at The Hague, July 29, 1899.

His Majesty the German Emperor, King of Prussia; [etc.]:

Alike animated by the desire to diminish, as far as depends on them the evils inseparable from warfare, and wishing with this object to adapt to maritime warfare the principles of the Geneva Convention of the 22d August, 1864, have decided to conclude a convention to this effect:

They have, in consequence, appointed as their plenipotentiaries, to wit:

[Here follow the names of plenipotentiaries.]

Who, after communication of their full powers, found in good and due form, have agreed on the following provisions:

### 1907

CONVENTION (X) for the adaptation to maritime warfare of the principles of the Geneva Convention.—Signed at The Hague, October 18, 1907.[1]

His Majesty the German Emperor, King of Prussia; [etc.]:

Purpose of Convention.

Animated alike by the desire to diminish, as far as depends on them, the inevitable evils of war;

And wishing with this object to adapt to maritime warfare the principles of the Geneva Convention of the *6th July, 1906;*

Have resolved to conclude a Convention *for the purpose of revising the Convention of the 29th July, 1899, relative to this question,* and have appointed the following as their plenipotentiaries:

Plenipotentiaries

[Here follow the names of plenipotentiaries.]

Who, after *having deposited* their full powers, found in good and due form, have agreed upon the following provisions:

[1]Italics indicate differences between the Conventions of 1899 and 1907.

| 1899 | 1907 |
| --- | --- |
| ARTICLE 1 | ARTICLE 1 |
| Immunity to military hospital ships. Military hospital ships, that is to say, ships constructed or assigned by States specially and solely for the purpose of assisting the wounded, sick or shipwrecked, and the names of which shall have been communicated to the belligerent Powers at the beginning or during the course of hostilities, and in any case before they are employed, shall be respected and can not be captured while hostilities last. | Military hospital ships, that is to say, ships constructed or assigned by States specially and solely with a view to assisting the wounded, sick, and shipwrecked, the names of which have been communicated to the belligerent Powers at the commencement or during the course of hostilities, and in any case before they are employed, shall be respected, and can not be captured while hostilities last. |
| Status in neutral ports. These ships, moreover, are not on the same footing as men-of-war as regards their stay in a neutral port. | These ships, moreover, are not on the same footing as war-ships as regards their stay in a neutral port. |
| ARTICLE 2 | ARTICLE 2 |
| Exemption to private hospital ships. Hospital ships, equipped wholly or in part at the cost of private individuals or officially recognized relief societies, shall likewise be respected and exempt from capture, provided the belligerent Power to whom they belong has given them an official commission and has notified their names to the hostile Power at the commencement of or during hostilities, and in any case before they are employed. | Hospital ships, equipped wholly or in part at the expense of private individuals or officially recognized relief societies, shall be likewise respected and exempt from capture, if the belligerent Power to whom they belong has given them an official commission and has notified their names to the hostile Power at the commencement of or during hostilities, and in any case before they are employed. |
| Certificate required. These ships should be furnished with a certificate from the competent authorities, declaring that they have been under their control | These ships must be provided with a certificate from the competent authorities declaring that the vessels have been under their |

| 1899 | 1907 |
|---|---|
| while fitting out and on final departure. | control while fitting out and on final departure. |
| ARTICLE 3 | ARTICLE 3 |
| Hospital ships, equipped wholly or in part at the cost of private individuals or officially recognized societies of neutral countries, shall be respected and exempt from capture, if the neutral Power to whom they belong has given them an official commission and notified their names to the belligerent Powers at the commencement of or during hostilities, and in any case before they are employed. | Hospital ships, equipped wholly or in part at the expense of private individuals or officially recognized societies of neutral countries shall be respected and exempt from capture, on condition *that they are placed under the control of one of the belligerents, with the previous consent of their own Government and with the authorization of the belligerent himself, and that the latter has notified their names to his adversary* at the commencement of or during hostilities, and in any case, before they are employed. Hospital ships of neutral countries |
| ARTICLE 4 | ARTICLE 4 |
| The ships mentioned in Articles 1, 2 and 3 shall afford relief and assistance to the wounded, sick, and shipwrecked of the belligerents independently of their nationality. | The ships mentioned in Articles 1, 2, and 3 shall afford relief and assistance to the wounded, sick, and shipwrecked of the belligerents without distinction of nationality. Relief to all belligerents. |
| The Governments engage not to use these ships for any military purpose. | The Governments undertake not to use these ships for any military purpose. Use confined. |
| These ships must not in any way hamper the movements of the combatants. | These vessels must in no wise hamper the movements of the combatants. Restrictions. |
| During and after an engagement they will act at their own risk and peril. | During and after an engagement they will act at their own risk and peril. Risks assumed. |

| 1899 | 1907 |
|---|---|
| Rights of belligerents. The belligerents will have the right to control and visit them; they can refuse to help them, order them off, make them take a certain course, and put a commissioner on board; they can even detain them, if important circumstances require it. | The belligerents shall have the right to control and search them; they can refuse to help them, order them off, make them take a certain course, and put a commissioner on board; they can even detain them, if important circumstances require it. |
| Log entries. As far as possible the belligerents shall inscribe in the sailing papers of the hospital ships the orders they give them. | As far as possible, the belligerents shall enter in the log of the hospital ships the orders which they give them. |
| ARTICLE 5 | ARTICLE 5 |
| Distinguishing colors to be used. The military hospital ships shall be distinguished by being painted white outside with a horizontal band of green about a meter and a half in breadth. | Military hospital ships shall be distinguished by being painted white outside with a horizontal band of green about a meter and a half in breadth. |
| The ships mentioned in Articles 2 and 3 shall be distinguished by being painted white outside with a horizontal band of red about a meter and a half in breadth. | The ships mentioned in Articles 2 and 3 shall be distinguished by being painted white outside with a horizontal band of red about a meter and a half in breadth. |
| Boats, etc. The boats of the ships above mentioned, as also small craft which may be used for hospital work, shall be distinguished by similar painting. | The boats of the ships above mentioned, as also small craft which may be used for hospital work, shall be distinguished by similar painting. |
| Flags. All hospital ships shall make themselves known by hoisting, together with their national flag, the white flag with a red cross provided by the Geneva Convention. | All hospital ships shall make themselves known by hoisting, with their national flag, the white flag with a red cross provided by the Geneva Convention,[1] *and further, if they belong to a neutral State, by flying at the mainmast the national flag of the belligerent* |

[1]See the reservations of Persia and Turkey, *post*, p. 181.

1899

1907

*under whose control they are placed.*

Ships detained.

*Hospital ships which, in the terms of Article 4, are detained by the enemy must haul down the national flag of the belligerent to whom they belong.*

Protection at night.

*The ships and boats above mentioned which wish to ensure by night the freedom from interference to which they are entitled, must, subject to the assent of the belligerent they are accompanying, take the necessary measures to render their special painting sufficiently plain.*

ARTICLE 6[1]

Use of distinguishing signs restricted.

*The distinguishing signs referred to in Article 5 can only be used, whether in time of peace or war, for protecting or indicating the ships therein mentioned.*

ARTICLE 7

Sick wards on war-ships.

*In the case of a fight on board a war-ship, the sick wards shall be respected and spared as far as possible.*

Use of *matériel*, etc.

*The said sick wards and the matériel belonging to them remain subject to the laws of war; they can not, however, be used for any purpose other than that for which they were originally intended, so long as they are required for the sick and wounded.*

[1]Great Britain made reservation of this article.

| 1899 | 1907 |
| --- | --- |
| Military necessities. | *The commander, however, into whose power they have fallen may apply them to other purposes, if the military situation requires it, after seeing that the sick and wounded on board are properly provided for.* |
| | ARTICLE 8 |
| Withdrawal of protection. | *Hospital ships and sick wards of vessels are no longer entitled to protection if they are employed for the purpose of injuring the enemy.* |
| Permissive use of arms, etc. | *The fact of the staff of the said ships and sick wards being armed for maintaining order and for defending the sick and wounded, and the presence of wireless telegraphy apparatus on board, is not a sufficient reason for withdrawing protection.* |
| ARTICLE 6 | ARTICLE 9 |
| Care on neutral ships. Protection accorded. Neutral merchantmen, yachts, or vessels, having, or taking on board, sick, wounded, or shipwrecked of the belligerents, can not be captured for so doing, but they are liable to capture for any violation of neutrality they may have committed. | *Belligerents may appeal to the charity of the commanders of neutral merchant ships, yachts, or boats to take on board and tend the sick and wounded.* *Vessels responding to this appeal, and also vessels which have of their own accord rescued sick, wounded, or shipwrecked men, shall enjoy special protection and certain immunities. In no case can they be captured for having such persons on board, but, apart* |

| 1899 | 1907 |
| --- | --- |
| | *from special undertakings that have been made to them, they remain liable to capture for any violations of neutrality they may have committed.* |
| ARTICLE 7 | ARTICLE 10 |
| The religious, medical, or hospital staff of any captured ship is inviolable, and its members can not be made prisoners of war. On leaving the ship they take with them the objects and surgical instruments which are their own private property. | The religious, medical, and hospital staff of any captured ship is inviolable, and its members can not be made prisoners of war. On leaving the ship they take away with them the objects and surgical instruments which are their own private property. (Immunity of medical, etc., staff.) |
| This staff shall continue to discharge its duties while necessary and can afterwards leave, when the commander-in-chief considers it possible. | This staff shall continue to discharge its duties while necessary, and can afterwards leave, when the commander-in-chief considers it possible. (Performance of duties.) |
| The belligerents must guarantee to the staff that has fallen into their hands the enjoyment of their salaries intact. | The belligerents must guarantee to the said staff, when it has fallen into ther hands, *the same allowances and pay which are given to the staff of corresponding rank in their own navy.* (Pay and allowances.) |
| ARTICLE 8 | ARTICLE 11 |
| Sailors and soldiers who are taken on board when sick or wounded, to whatever nation they belong, shall be protected and looked after by the captors. | Sailors and soldiers on board, when sick or wounded, *as well as other persons officially attached to fleets or armies,* whatever their nationality, shall be *respected* and tended by the captors. (Care of disabled prisoners.) |

| 1899 | 1907 |
| --- | --- |
| | ARTICLE 12[1] |
| Transfer of sick, etc., to war-ships. | *Any war-ship belonging to a belligerent may demand that sick, wounded, or shipwrecked men on board military hospital ships, hospital ships belonging to relief societies or to private individuals, merchant ships, yachts, or boats, whatever the nationality of these vessels, should be handed over.* |
| | ARTICLE 13 |
| Care of sick, etc., on neutral war-ships. | *If sick, wounded, or shipwrecked persons are taken on board a neutral war-ship, every possible precaution must be taken that they do not again take part in the operations of the war.* |
| ARTICLE 9 | ARTICLE 14 |
| Disposition of captured sick, etc., belligerents. The shipwrecked, wounded, or sick of one of the belligerents who fall into the hands of the other, are prisoners of war. The captor must decide, according to circumstances, if it is best to keep them or send them to a port of his own country, to a neutral port, or even to a hostile port. In the last case, prisoners thus repatriated can not serve as long as the war lasts. | The shipwrecked, wounded, or sick of one of the belligerents who fall into the power of the other belligerent are prisoners of war. The captor must decide, according to circumstances, whether to keep them, send them to a port of his own country, to a neutral port, or even to an enemy port. In this last case, prisoners thus repatriated can not serve again while the war lasts. |

[1]See the declaration of Great Britain respecting this article, *post*, p. 181.

**1899**

ARTICLE 10[1]

[The shipwrecked, wounded, or sick, who are landed at a neutral port with the consent of the local authorities, must, failing a contrary arrangement between the neutral State and the belligerents, be guarded by the neutral State, so that they can not again take part in the military operations.

The expenses of tending them in hospital and internment shall be borne by the State to which the shipwrecked, wounded, or sick belong.]

**1907**

ARTICLE 15[2]

Care in neutral ports.

*The shipwrecked, sick, or wounded, who are landed at a neutral port with the consent of the local authorities, must, unless an arrangement is made to the contrary between the neutral State and the belligerent States, be guarded by the neutral State so as to prevent them again taking part in the operations of the war.*

Expenses.

*The expenses of tending them in hospital and interning them shall be borne by the State to which the shipwrecked, sick, or wounded persons belong.*

ARTICLE 16

Protection against pillage, etc.

*After every engagement, the two belligerents, so far as military interests permit, shall take steps to look for the shipwrecked, sick, and wounded, and to protect them, as well as the dead, against pillage and ill-treatment.*

Burials.

*They shall see that the burial, whether by land or sea, or cremation of the dead shall be preceded by a careful examination of the corpse.*

ARTICLE 17

Identification of dead, etc.

*Each belligerent shall send, as early as possible, to the authorities*

[1]This article was excluded. See *post*, p. 179, under Reservations.

[2]In the original French this article is identical with the excluded Article 10 of the 1899 Convention.

1899

1907

*of their country, navy, or army the military marks or documents of identity found on the dead and the description of the sick and wounded picked up by him.*

Record of captures, etc.

*The belligerents shall keep each other informed as to internments and transfers as well as to the admissions into hospital and deaths which have occurred among the sick and wounded in their hands.*

Objects of personal use, etc.

*They shall collect all the objects of personal use, valuables, letters, etc., which are found in the captured ships, or which have been left by the sick or wounded who died in hospital, in order to have them forwarded to the persons concerned by the authorities of their own country.*

ARTICLE 11

ARTICLE 18

Powers bound

The rules contained in the above articles are binding only on the contracting Powers, in case of war between two or more of them.

The said rules shall cease to be binding from the time when, in a war between the contracting Powers, one of the belligerents is joined by a non-contracting Power.

The provisions of the present Convention do not apply except between contracting Powers, and then only if all the belligerents are parties to the Convention.

ARTICLE 19

Duties of fleet commanders.

*The commanders-in-chief of the belligerent fleets must see that the above articles are properly carried*

1899

1907

*out; they will have also to see to cases not covered thereby, in accordance with the instructions of their respective Governments and in conformity with the general principles of the present Convention.*

ARTICLE 20

Promulgation of provisions.

*The signatory Powers shall take the necessary measures for bringing the provisions of the present Convention to the knowledge of their naval forces, and especially of the members entitled thereunder to immunity, and for making them known to the public.*

ARTICLE 21[1]

Legislation to be recommended.

*The signatory Powers likewise undertake to enact or to propose to their legislatures, if their criminal laws are inadequate, the measures necessary for checking in time of war individual acts of pillage and ill-treatment in respect to the sick and wounded in the fleet, as well as for punishing, as an unjustifiable adoption of naval or military marks, the unauthorized use of the distinctive marks mentioned in Article 5 by vessels not protected by the present Convention.*

Communication of laws enacted.

*They will communicate to each other, through the Netherland Government, the enactments for*

[1]China and Great Britain made reservation of this article.

| 1899 | 1907 |
| --- | --- |
| | *preventing such acts at the latest within five years of the ratification of the present Convention.* |
| Application only to forces on board ship. | ARTICLE 22 |
| | *In the case of operations of war between the land and sea forces of belligerents, the provisions of the present Convention do not apply except between the forces actually on board ship.* |
| ARTICLE 12 | ARTICLE 23 |
| Ratification. The present Convention shall be ratified as soon as possible. | The present Convention shall be ratified as soon as possible. |
| Deposit at The Hague. The ratifications shall be deposited at The Hague. | The ratifications shall be deposited at The Hague. |
| | *The first deposit of ratifications shall be recorded in a procès-verbal signed by the representatives of the Powers taking part therein and by the Netherland Minister for Foreign Affairs.* |
| | *Subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherland Government and accompanied by the instrument of ratification.* |
| Communication to other Powers. On the receipt of each ratification a procès-verbal shall be drawn up, a copy of which, duly certified, shall be sent through the diplomatic channel to all the contracting Powers. | *A certified copy of the procès-verbal relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherland Government through the diplo-* |

| 1899 | 1907 |
| --- | --- |
| | *matic channel to the Powers invited to the Second Peace Conference, as well as to the other powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph the said Government shall inform them at the same time of the date on which it received the notification.* |
| ARTICLE 13 | ARTICLE 24 |
| The non-signatory Powers who accepted the Geneva Convention of the 22d August, 1864, are allowed to adhere to the present Convention. | Non-signatory Powers which have accepted the Geneva Convention of the *6th July, 1906,* may adhere to the present Convention. (Adhesion of non-signatory Powers.) |
| For this purpose they must make their adhesion known to the contracting Powers by means of a written notification addressed to the Netherland Government, and by it communicated to all the other contracting Powers. | *The Power which desires to adhere notifies its intention to the Netherland Government in writing, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.* (Notification of intention.) |
| | *The said Government shall at once transmit to all the other Powers a duly certified copy of the notification as well as of the act of adhesion, mentioning the date on which it received the notification.* (Communication to other Powers.) |
| | ARTICLE 25 |
| | *The present Convention, duly ratified, shall replace as between contracting Powers, the Convention of the 29th July, 1899, for* (Former Convention replaced.) |

| 1899 | 1907 |
| --- | --- |
| | *the adaptation to maritime warfare of the principles of the Geneva Convention.* |
| Continuance of former Convention. | *The Convention of 1899 remains in force as between the Powers which signed it but which do not also ratify the present Convention.* |
| | ARTICLE 26 |
| Effect of ratification. | *The present Convention shall come into force, in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the date of the procès-verbal of this deposit, and, in the case of the Powers which ratify subsequently or which adhere, sixty days after the notification of their ratification or of their adhesion has been received by the Netherland Government.* |
| ARTICLE 14 | ARTICLE 27 |
| Denunciation. In the event of one of the high contracting Parties denouncing the present Convention, such denunciation shall not take effect until a year after the notification made in writing to the Netherland Government, and forthwith communicated by it to all the other contracting Powers. | In the event of one of the contracting Powers *wishing to* denounce the present Convention, *the* denunciation shall be notified in writing to the Netherland Government, *which shall* at once communicate *a duly certified copy of* the notification to all the other Powers, *informing them at the same time of the date on which it was received.* |
| Notifying Power only affected. This denunciation shall only affect the notifying Power. | The denunciation shall only have effect in regard to the noti- |

1899

1907

fying Power, *and* one year after the notification has *reached* the Netherland Government.

ARTICLE 28

Register of ratifications.

*A register kept by the Netherland Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article 23, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 24, paragraph 2) or of denunciation (Article 27, paragraph 1) have been received.*

*Each contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.*

Signing.

In testimony whereof the respective plenipotentiaries have signed the present Convention and affixed their seals thereto.

In faith whereof the plenipotentiaries have *appended their signatures to* the present Convention.

Deposit of original.

Done at The Hague the 29th July, 1899, in single copy, which shall be kept in the archives of the Government of the Netherlands, and copies of which duly certified, shall be sent through the diplomatic channel to the contracting Powers.

Done at The Hague, the *18th October, 1907,* in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the *Powers which have been invited to the Second Peace Conference.*

[Here follow signatures.]

[Here follow signatures.]

### RATIFICATIONS, ADHESIONS AND RESERVATIONS

**The 1899 Convention** was *ratified* by all the signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | September 4, 1900 |
| Belgium | September 4, 1900 |
| Bulgaria | September 4, 1900 |
| China | November 21, 1904 |
| Denmark | September 4, 1900 |
| France | September 4, 1900 |
| Germany | September 4, 1900 |
| Great Britain | September 4, 1900 |
| Greece | April 4, 1901 |
| Italy | September 4, 1900 |
| Japan | October 6, 1900 |
| Luxemburg | July 12, 1901 |
| Mexico | April 17, 1901 |
| Montenegro | October 16, 1900 |
| Netherlands | September 4, 1900 |
| Norway | (See Sweden and Norway.) |
| Persia | September 4, 1900 |
| Portugal | September 4, 1900 |
| Roumania | September 4, 1900 |
| Russia | September 4, 1900 |
| Serbia | May 11, 1901 |
| Siam | September 4, 1900 |
| Spain | September 4, 1900 |
| Sweden and Norway | September 4, 1900 |
| Switzerland | December 29, 1900 |
| Turkey | June 12, 1907 |
| United States | September 4, 1900 |

*Adhesions:*

| | |
|---|---|
| Argentine Republic | June 17, 1907 |
| Bolivia | February 7, 1907 |
| Brazil | February 25, 1907 |
| Chile | June 19, 1907 |
| Colombia | January 30, 1907 |

Cuba .....June 29, 1907
Dominican Republic .....June 29, 1907
Ecuador .....August 5, 1907
Guatemala .....April 6, 1903
Haiti .....June 29, 1907
Honduras .....August 21, 1906
Korea .....February 7, 1903
Nicaragua .....May 17, 1907
Panama .....July 22, 1907
Paraguay .....June 29, 1907
Peru .....November 24, 1903
Salvador .....June 20, 1902
Uruguay .....June 21, 1906
Venezuela .....March 1, 1907

*Reservations:*

Germany, Great Britain, Turkey and United States signed with reservation of Article 10. It was subsequently agreed, on an understanding reached by the Government of the Netherlands with the signatory Powers, to exclude Article 10 from all ratifications of the Convention.[1]

---

**The 1907 Convention** was *ratified* by the following signatory Powers on the dates indicated:

Austria-Hungary .....November 27, 1909
Belgium .....August 8, 1910
Bolivia .....November 27, 1909
Brazil .....January 5, 1914
China .....November 27, 1909
Cuba .....February 22, 1912
Denmark .....November 27, 1909
France .....October 7, 1910
Germany .....November 27, 1909
Guatemala .....March 15, 1911

[1]U. S. Statutes at Large, vol. 32, p. 1837.

Haiti .....February 2, 1910
Japan .....December 13, 1911
Luxemburg .....September 5, 1912
Mexico .....November 27, 1909
Netherlands .....November 27, 1909
Norway .....September 19, 1910
Panama .....September 11, 1911
Portugal .....April 13, 1911
Roumania .....March 1, 1912
Russia .....November 27, 1909
Salvador .....November 27, 1909
Siam .....March 12, 1910
Spain .....March 18, 1913
Sweden .....July 13, 1911
Switzerland .....May 12, 1910
United States .....November 27, 1909

*Adhesion:*

Nicaragua .....December 16, 1909

The following Powers signed the Convention but have not yet ratified:

Argentine Republic
Bulgaria
Chile
Colombia
Dominican Republic
Ecuador
Great Britain
Greece
Italy
Montenegro
Paraguay
Persia
Peru
Serbia
Turkey
Uruguay
Venezuela

*Reservations:*[1]

China

Under reservation of Article 21.[2]

[1]All these reservations were made at signature.
[2]Reservation maintained at ratification.

Great Britain

Under reservation of Articles 6 and 21 and of the following declaration:

> In affixing their signatures to the above Convention, the British plenipotentiaries declare that His Majesty's Government understand Article 12 to apply only to the case of combatants rescued during or after a naval engagement in which they have taken part.

Persia

Under reservation of the right, admitted by the Conference, to use the Lion and Red Sun instead of and in the place of the Red Cross.

Turkey

Under reservation of the right admitted by the Peace Conference to use the Red Crescent.

## CONVENTION (XI) RELATIVE TO CERTAIN RESTRICTIONS WITH REGARD TO THE EXERCISE OF THE RIGHT OF CAPTURE IN NAVAL WAR

Signed at The Hague, October 18, 1907

His Majesty the German Emperor, King of Prussia: [etc.]:

Purpose of Convention.

Recognizing the necessity of more effectively ensuring than hitherto the equitable application of law to the international relations of maritime Powers in time of war;

Considering that, for this purpose, it is expedient, in giving up or, if necessary, in harmonizing for the common interest certain conflicting practices of long standing, to commence codifying in regulations of general application the guarantees due to peaceful commerce and legitimate business, as well as the conduct of hostilities by sea; that it is expedient to lay down in written mutual engagements the principles which have hitherto remained in the uncertain domain of controversy or have been left to the discretion of Governments;

That, from henceforth, a certain number of rules may be made, without affecting the common law now in force with regard to the matters which that law has left unsettled;

Plenipotentiaries.

Have appointed the following as their plenipotentiaries:

[Here follow the names of plenipotentiaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions:

Postal correspondence.

### CHAPTER I.—*Postal Correspondence*

#### ARTICLE 1

Inviolable on high seas.

Forwarding from captured ships.

The postal correspondence of neutrals or belligerents, whatever its official or private character may be, found on the high seas on board a neutral or enemy ship, is inviolable. If the ship is detained, the correspondence is forwarded by the captor with the least possible delay.

The provisions of the preceding paragraph do not apply, in case of violation of blockade, to correspondence destined for or proceeding from a blockaded port. Blockaded ports.

### Article 2

The inviolability of postal correspondence does not exempt a neutral mail ship from the laws and customs of maritime war as to neutral merchant ships in general. The ship, however, may not be searched except when absolutely necessary, and then only with as much consideration and expedition as possible. Neutral mail ships.

## Chapter II.—*The Exemption from Capture of Certain Vessels* Vessels exempt from capture.

### Article 3

Vessels used exclusively for fishing along the coast or small boats employed in local trade are exempt from capture, as well as their appliances, rigging, tackle, and cargo. Fishing vessels and boats in local trade.

They cease to be exempt as soon as they take any part whatever in hostilities.

The contracting Powers agree not to take advantage of the harmless character of the said vessels in order to use them for military purposes while preserving their peaceful appearance. Military use forbidden.

### Article 4

Vessels charged with religious, scientific, or philanthropic missions are likewise exempt from capture. Religious, scientific, etc., vessels.

## Chapter III.—*Regulations Regarding the Crews of Enemy Merchant Ships Captured by a Belligerent* Captured merchant ships.

### Article 5

When an enemy merchant ship is captured by a belligerent, such of its crew as are nationals of a neutral State are not made prisoners of war. Disposition of crew and officers, if neutral.

The same rule applies in the case of the captain and officers likewise nationals of a neutral State, if they promise formally in writing not to serve on an enemy ship while the war lasts.

### Article 6

Conditional release of officers and crews, if enemies

The captain, officers, and members of the crew, when nationals of the enemy State, are not made prisoners of war, on condition that they make a formal promise in writing, not to undertake, while hostilities last, any service connected with the operations of the war.

### Article 7

Notification by captors.

The names of the persons retaining their liberty under the conditions laid down in Article 5, paragraph 2, and in Article 6, are notified by the belligerent captor to the other belligerent. The latter is forbidden knowingly to employ the said persons.

### Article 8

Ships not included.

The provisions of the three preceding articles do not apply to ships taking part in the hostilities.

## Chapter IV.—*Final Provisions*

### Article 9

Powers bound.

The provisions of the present Convention do not apply except between contracting Powers, and then only if all the belligerents are parties to the Convention.

### Article 10

Ratification.

The present Convention shall be ratified as soon as possible.

Deposit at The Hague.

The ratifications shall be deposited at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the Powers taking part therein and by the Netherland Minister for Foreign Affairs.

Subsequent deposits of ratifications shall be made by means of a written notification, addressed to the Netherland Government and accompanied by the instrument of ratification.

Certified copies to contracting Powers.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the notifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherland Government, through the diplomatic channel, to the

Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph, the said Government shall inform them at the same time of the date on which it received the notification.

### Article 11

Adherence of non-signatory Powers.

Non-signatory Powers may adhere to the present Convention.

Notification of intent.

The Power which desires to adhere notifies its intention in writing to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

Communication to other Powers.

This Government shall at once transmit to all the other Powers a duly certified copy of the notification as well as of the act of adhesion, mentioning the date on which it received the notification.

### Article 12

Effect of ratification.

The present Convention shall come into force in the case of the Powers which were a party to the first deposit of ratifications, sixty days after the *procès-verbal* of that deposit, and, in the case of the Powers which ratify subsequently or which adhere, sixty days after the notification of their ratification has been received by the Netherland Government.

### Article 13

Denunciation.

In the event of one of the contracting Powers wishing to denounce the present Convention, the denunciation shall be notified in writing to the Netherland Government, which shall at once communicate a duly certified copy of the notification to all the other Powers informing them of the date on which it was received.

Notifying Power only affected.

The denunciation shall only have effect in regard to the notifying Power, and one year after the notification has reached the Netherland Government.

### Article 14

Register of ratifications.

A register kept by the Netherland Ministry for Foreign Affairs shall give the date of the deposit of ratifications made in virtue of Article 10, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 11, paragraph 2) or of denunciation (Article 13, paragraph 1) have been received.

Each contracting Power is entitled to have access to this register and to be supplied with duly certified extracts from it.

Signing.

In faith whereof the plenipotentiaries have appended their signatures to the present Convention.

Deposit of original.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the Powers invited to the Second Peace Conference.

[Here follow signatures.]

---

### RATIFICATIONS, ADHESIONS AND RESERVATIONS

The foregoing Convention was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | November 27, 1909 |
| Belgium | August 8, 1910 |
| Brazil | January 5, 1914 |
| Denmark | November 27, 1909 |
| France | October 7, 1910 |
| Germany | November 27, 1909 |
| Great Britain | November 27, 1909 |
| Guatemala | March 15, 1911 |
| Haiti | February 2, 1910 |
| Japan | December 13, 1911 |
| Luxemburg | September 5, 1912 |
| Mexico | November 27, 1909 |
| Netherlands | November 27, 1909 |
| Norway | September 19, 1910 |
| Panama | September 11, 1911 |
| Portugal | April 13, 1911 |
| Roumania | March 1, 1912 |
| Salvador | November 27, 1909 |
| Siam | March 12, 1910 |
| Spain | March 18, 1913 |
| Sweden | November 27, 1909 |
| Switzerland | May 12, 1910 |
| United States | November 27, 1909 |

*Adhesions:*

Liberia .....February 4, 1914
Nicaragua .....December 16, 1909

The following Powers signed the Convention but have not yet ratified:

Argentine Republic
Bolivia
Bulgaria
Chile
Colombia
Cuba
Dominican Republic
Ecuador
Greece
Italy
Paraguay
Persia
Peru
Serbia
Turkey
Uruguay
Venezuela

*Reservations:* none.

## CONVENTION (XII) RELATIVE TO THE CREATION OF AN INTERNATIONAL PRIZE COURT

Signed at The Hague, October 18, 1907

His Majesty, the German Emperor, King of Prussia; [etc.]:

Purpose of Convention.

Animated by the desire to settle in an equitable manner the differences which sometimes arise in the course of a naval war in connection with the decisions of national prize courts;

Considering that, if these courts are to continue to exercise their functions in the manner determined by national legislation, it is desirable that in certain cases an appeal should be provided under conditions conciliating, as far as possible, the public and private interests involved in matters of prize;

Whereas, moreover, the institution of an International Court, whose jurisdiction and procedure would be carefully defined, has seemed to be the best method of attaining this object;

Convinced, finally, that in this manner the hardships consequent on naval war would be mitigated; that, in particular, good relations will be more easily maintained between belligerents and neutrals and peace better assured;

Plenipotentiaries.

Desirous of concluding a Convention to this effect, have appointed the following as their plenipotentiaries:

[Here follow the names of plenipotentiaries.]

Who, after depositing their full powers, found in good and due form, have agreed upon the following provisions:

General provisions.

### Part I.—General Provisions

#### Article 1

Determination of validity of capture.

The validity of the capture of a merchant ship or its cargo is decided before a prize court in accordance with the present Convention when neutral or enemy property is involved.

### Article 2

Jurisdiction in first instance.

Jurisdiction in matters of prize is exercised in the first instance by the prize courts of the belligerent captor.

The judgments of these courts are pronounced in public or are officially notified to parties concerned who are neutrals or enemies.

### Article 3

When judgments of national courts may be brought before International Court.

The judgments of national prize courts may be brought before the International Prize Court—

1. When the judgment of the national prize courts affects the property of a neutral Power or individual;

2. When the judgment affects enemy property and relates to—

(*a*) Cargo on board a neutral ship;

(*b*) An enemy ship captured in the territorial waters of a neutral Power, when that Power has not made the capture the subject of a diplomatic claim;

(*c*) A claim based upon the allegation that the seizure has been effected in violation, either of the provisions of a Convention in force between the belligerent Powers, or of an enactment issued by the belligerent captor.

Basis of appeal.

The appeal against the judgment of the national court can be based on the ground that the judgment was wrong either in fact or in law.

### Article 4

When appeal may be brought:

An appeal may be brought—

1. By a neutral Power.

1. By a neutral Power, if the judgment of the national tribunals injuriously affects its property or the property of its nationals (Article 3, No. 1), or if the capture of an enemy vessel is alleged to have taken place in the territorial waters of that Power (Article 3, No. 2*b*).

2. By a neutral individual.

2. By a neutral individual, if the judgment of the national court injuriously affects his property (Article 3, No. 1), subject, however, to the reservation that the Power to which he belongs may forbid him to bring the case before the Court, or may itself undertake the proceedings in his place;

3. By citizen of enemy Power.

3. By an individual subject or citizen of an enemy Power, if the judgment of the national court injuriously affects his property in the cases referred to in Article 3, No. 2, except that mentioned in paragraph *b*.

ARTICLE 5

Successors in interest.

An appeal may also be brought on the same conditions as in the preceding article, by persons belonging either to neutral States or to the enemy, deriving their rights from and entitled to represent an individual qualified to appeal, and who have taken part in the proceedings before the national court. Persons so entitled may appeal separately to the extent of their interest.

The same rule applies in the case of persons belonging either to neutral States or to the enemy who derive their rights from and are entitled to represent a neutral Power whose property was the subject of the decision.

ARTICLE 6

Limitation upon jurisdiction of national courts.

When, in accordance with the above Article 3, the International Court has jurisdiction, the national courts can not deal with a case in more than two instances. The municipal law of the belligerent captor shall decide whether the case may be brought before the International Court after judgment has been given in first instance or only after an appeal.

Failure of national courts to give final judgment.

If the national courts fail to give final judgment within two years from the date of capture, the case may be carried direct to the International Court.

ARTICLE 7

Law applicable. Treaties.

If a question of law to be decided is covered by a treaty in force between the belligerent captor and a Power which is itself or whose subject or citizen is a party to the proceedings, the Court is governed by the provisions of the said treaty.

Rules of international law.

Principles of justice and equity.

In the absence of such provisions, the Court shall apply the rules of international law. If no generally recognized rule exists, the Court shall give judgment in accordance with the general principles of justice and equity.

The above provisions apply equally to questions relating to the order and mode of proof.

Enactments of belligerent captor.

If, in accordance with Article 3, No. 2*c*, the ground of appeal is the violation of an enactment issued by the belligerent captor, the Court will enforce the enactment.

The Court may disregard failure to comply with the procedure laid down in the enactments of the belligerent captor, when it is of opinion

that the consequences of complying therewith are unjust and inequitable.

### Article 8[1]

Disposition of vessel and cargo when capture is valid;

If the Court pronounces the capture of the vessel or cargo to be valid, they shall be disposed of in accordance with the laws of the belligerent captor.

when capture is null.

If it pronounces the capture to be null, the Court shall order restitution of the vessel or cargo, and shall fix, if there is occasion, the amount of the damages. If the vessel or cargo have been sold or destroyed, the Court shall determine the compensation to be given to the owner on this account.

If the national court pronounced the capture to be null, the Court can only be asked to decide as to the damages.

### Article 9

Powers to submit to decisions.

The contracting Powers undertake to submit in good faith to the decisions of the International Prize Court and to carry them out with the least possible delay.

## Part II.—Constitution of the International Prize Court

Constitution of Court.

### Article 10

Personnel and qualifications of members of Court.

The International Prize Court is composed of judges and deputy judges, who will be appointed by the contracting Powers, and must all be jurists of known proficiency in questions of international maritime law, and of the highest moral reputation.

The appointment of these judges and deputy judges shall be made within six months after the ratification of the present Convention.

### Article 11

Term of service of judges.

The judges and deputy judges are appointed for a period of six years, reckoned from the date on which the notification of their appointment is received by the Administrative Council established by the Convention for the pacific settlement of international disputes of the 29th July, 1899. Their appointments can be renewed.

---

[1]See Article 2 of the Additional Protocol, *post*, p. 206.

Vacancies.

Should one of the judges or deputy judges die or resign, the same procedure is followed for filling the vacancy as was followed for appointing him. In this case, the appointment is made for a fresh period of six years.

ARTICLE 12

Rank of judges.

The judges of the International Prize Court are all equal in rank and have precedence according to the date on which the notification of their appointment was received (Article 11, paragraph 1), and if they sit by rota (Article 15, paragraph 2), according to the date on which they entered upon their duties. When the date is the same the senior in age takes precedence.

The deputy judges when acting are assimilated to the judges. They rank, however, after them.

ARTICLE 13

Privileges and immunities.

The judges enjoy diplomatic privileges and immunities in the performance of their duties and when outside their own country.

Oath.

Before taking their seat, the judges must swear, or make a solemn promise before the Administrative Council, to discharge their duties impartially and conscientiously.

ARTICLE 14

Number of judges.

The Court is composed of fifteen judges; nine judges constitute a quorum.

A judge who is absent or prevented from sitting is replaced by the deputy judge.

ARTICLE 15[1]

Judges who are always summoned to sit.

The judges appointed by the following contracting Powers: Germany, the United States of America, Austria-Hungary, France, Great Britain, Italy, Japan, and Russia, are always summoned to sit.

Judges who sit by rota.

The judges and deputy judges appointed by the other contracting Powers sit by rota as shown in the table annexed[2] to the present Convention; their duties may be performed successively by the same person. The same judge may be appointed by several of the said Powers.

---

[1]Reservation of this article was made by Chile, Cuba, Ecuador, Guatemala, Haiti, Persia, Salvador, Siam, Turkey and Uruguay.

[2]*Post*, p. 203.

### Article 16

Selection of judge by belligerent Power.

If a belligerent Power has, according to the rota, no judge sitting in the Court, it may ask that the judge appointed by it should take part in the settlement of all cases arising from the war. Lots shall then be drawn as to which of the judges entitled to sit according to the rota shall withdraw. This arrangement does not affect the judge appointed by the other belligerent.

### Article 17

Disqualification of a judge.

No judge can sit who has been a party, in any way whatever, to the sentence pronounced by the national courts, or has taken part in the case as counsel or advocate for one of the parties.

No judge or deputy judge can, during his tenure of office, appear as agent or advocate before the International Prize Court nor act for one of the parties in any capacity whatever.

### Article 18

Belligerent captor or interested neutral may appoint assessor.

The belligerent captor is entitled to appoint a naval officer of high rank to sit as assessor, but with no voice in the decision. A neutral Power, which is a party to the proceedings or whose subject or citizen is a party, has the same right of appointment; if as the result of this last provision more than one Power is concerned, they must agree among themselves, if necessary by lot, on the officer to be appointed.

### Article 19

Election of officers.

The Court elects its president and vice-president by an absolute majority of the votes cast. After two ballots, the election is made by a bare majority, and, in case the votes are equal, by lot.

### Article 20

Compensation of judges.

The judges on the International Prize Court are entitled to traveling allowances in accordance with the regulations in force in their own country, and in addition receive, while the Court is sitting or while they are carrying out duties conferred upon them by the Court, a sum of 100 Netherland florins *per diem*.

These payments are included in the general expenses of the Court dealt with in Article 47, and are paid through the International Bureau established by the Convention of the 29th July, 1899.

The judges may not receive from their own Government or from that of any other Power any remuneration in their capacity of members of the Court.

### Article 21

Seat of the Court.

The seat of the International Prize Court is at The Hague and it can not, except in the cases of *force majeure,* be transferred elsewhere without the consent of the belligerents.

### Article 22

Functions of Administrative Council.

The Administrative Council fulfils, with regard to the International Prize Court, the same functions as to the Permanent Court of Arbitration, but only representatives of contracting Powers will be members of it.

### Article 23

International Bureau acts as registry.

The International Bureau acts as registry to the International Prize Court and must place its offices and staff at the disposal of the Court. It has charge of the archives and carries out the administrative work.

The secretary general of the International Bureau acts as registrar.

The necessary secretaries to assist the registrar, translators and shorthand writers are appointed and sworn in by the Court.

### Article 24

Language used in proceedings.

The Court determines which language it will itself use and what languages may be used before it.

In every case the official language of the national courts which have had cognizance of the case may be used before the Court.

### Article 25

Powers may appoint agents and counsel.

Powers which are concerned in a case may appoint special agents to act as intermediaries between themselves and the Court. They may also engage counsel or advocates to defend their rights and interests.

### Article 26

Attorneys for private individuals.

A private person concerned in a case will be represented before the Court by an attorney, who must be either an advocate qualified to plead before a court of appeal or a high court of one of the contracting States, or a lawyer practising before a similar court, or lastly, a professor of law at one of the higher teaching centers of those countries.

### Article 27

How notices are to be served.

For all notices to be served, in particular on the parties, witnesses, or experts, the Court may apply direct to the Government of the State on whose territory the service is to be carried out. The same rule applies in the case of steps being taken to procure evidence.

The requests for this purpose are to be executed so far as the means at the disposal of the Power applied to under its municipal law allow. They can not be rejected unless the Power in question considers them calculated to impair its sovereign rights or its safety. If the request is complied with, the fees charged must only comprise the expenses actually incurred.

The Court is equally entitled to act through the Power on whose territory it sits.

Notices to be given to parties in the place where the Court sits may be served through the International Bureau.

## Part III.—Procedure in the International Prize Court

Procedure in the court.

### Article 28[1]

Method and time of entering appeal.

An appeal to the International Prize Court is entered by means of a written declaration made in the national court which has already dealt with the case or addressed to the International Bureau; in the latter case the appeal can be entered by telegram.

The period within which the appeal must be entered is fixed at 120 days, counting from the day the decision is delivered or notified (Article 2, paragraph 2).

### Article 29[2]

Transmission of record to International Bureau.

If the notice of appeal is entered in the national court, this Court, without considering the question whether the appeal was entered in

[1]See Article 5 of the Additional Protocol, *post*, p. 206.
[2]See Article 6 of the Additional Protocol, *post*, p. 207.

due time, will transmit within seven days the record of the case to the International Bureau.

If the notice of the appeal is sent to the International Bureau, the Bureau will immediately inform the national court, when possible by telegraph. The latter will transmit the record as provided in the preceding paragraph.

When the appeal is brought by a neutral individual the International Bureau at once informs by telegraph the individual's Government, in order to enable it to enforce the rights it enjoys under Article 4, paragraph 2.

ARTICLE 30

Appeal when national courts fail to give final judgment.

In the case provided for in Article 6, paragraph 2, the notice of appeal can be addressed to the International Bureau only. It must be entered within thirty days of the expiration of the period of two years.

ARTICLE 31

Late appeal may be rejected.

If the appellant does not enter his appeal within the period laid down in Articles 28 or 30, it shall be rejected without discussion.

Provided that he can show that he was prevented from so doing by *force majeure,* and that the appeal was entered within sixty days after the circumstances which prevented him entering it before had ceased to operate, the Court can, after hearing the respondent, grant relief from the effect of the above provision.

ARTICLE 32

Copy of appeal is sent to respondent.

If the appeal is entered in time, a certified copy of the notice of appeal is forthwith officially transmitted by the Court to the respondent.

ARTICLE 33

Appeal of other parties.

If, in addition to the parties who are before the Court, there are other parties concerned who are entitled to appeal, or if, in the case referred to in Article 29, paragraph 3, the Government who has received notice of an appeal has not announced its decision, the Court will await before dealing with the case the expiration of the period laid down in Articles 28 or 30.

ARTICLE 34

Pleadings and argument.

The procedure before the International Court includes two distinct parts: the written pleadings and oral discussions.

The written pleadings consist of the deposit and exchange of cases, counter-cases, and, if necessary, of replies, of which the order is fixed by the Court, as also the periods within which they must be delivered. The parties annex thereto all papers and documents of which they intend to make use.

A certified copy of every document produced by one party must be communicated to the other party through the medium of the Court.

ARTICLE 35

Public sitting.

After the close of the pleadings, a public sitting is held on a day fixed by the Court.

At this sitting the parties state their view of the case both as to the law and as to the facts.

The Court may, at any stage of the proceedings, suspend speeches of counsel, either at the request of one of the parties, or on their own initiative, in order that supplementary evidence may be obtained.

ARTICLE 36

Supplementary evidence.

The International Court may order the supplementary evidence to be taken either in the manner provided by Article 27, or before itself, or one or more of the members of the Court, provided that this can be done without resort to compulsion or the use of threats.

If steps are to be taken for the purpose of obtaining evidence by members of the Court outside the territory where it is sitting, the consent of the foreign Government must be obtained.

ARTICLE 37

Parties summoned for every stage of proceedings.

The parties are summoned to take part in all stages of the proceedings and receive certified copies of the minutes.

ARTICLE 38

Discussions controlled by president.

The discussions are under the control of the president or vice-president, or, in case they are absent or can not act, of the senior judge present.

The judge appointed by a belligerent party can not preside.

ARTICLE 39

Discussions public.

The discussions take place in public, subject to the right of a Government who is a party to the case to demand that they be held in private.

Minutes.

Minutes are taken of these discussions and signed by the president and registrar, and these minutes alone have an authentic character.

ARTICLE 40

Result of failure of party to appear.

If a party does not appear, despite the fact that he has been duly cited, or if a party fails to comply with some step within the period fixed by the Court, the case proceeds without that party, and the Court gives judgment in accordance with the material at its disposal.

ARTICLE 41

Notification of decrees or decisions.

The Court officially notifies to the parties decrees or decisions made in their absence.

ARTICLE 42

Matters considered in arriving at decision.

The Court takes into consideration in arriving at its decision all the facts, evidence, and oral statements.

ARTICLE 43

Manner of making decisions.

The Court considers its decision in private and the proceedings are secret.

All questions are decided by a majority of the judges present. If the number of judges is even and equally divided, the vote of the junior judge in the order of precedence laid down in Article 12, paragraph 1, is not counted.

ARTICLE 44

Reasons for judgment.

The judgment of the Court must give the reasons on which it is based. It contains the names of the judges taking part in it, and also of the assessors, if any; it is signed by the president and registrar.

ARTICLE 45[1]

Method of pronouncing sentence.

The sentence is pronounced in public sitting, the parties concerned being present or duly summoned to attend; the sentence is officially communicated to the parties.

---

[1]See Article 7 of the Additional Protocol, *post*, p. 207.

When this communication has been made, the Court transmits to the national prize court the record of the case, together with copies of the various decisions arrived at and of the minutes of the proceedings.

ARTICLE 46

Payment of costs.

Each party pays its own costs.

The party against whom the Court decides bears, in addition, the costs of the trial, and also pays 1 per cent of the value of the subject-matter of the case as a contribution to the general expenses of the International Court. The amount of these payments is fixed in the judgment of the Court.

If the appeal is brought by an individual, he will furnish the International Bureau with security to an amount fixed by the Court, for the purpose of guaranteeing eventual fulfilment of the two obligations mentioned in the preceding paragraph. The Court is entitled to postpone the opening of the proceedings until the security has been furnished.

ARTICLE 47

General expenses of Court.

The general expenses of the International Prize Court are borne by the contracting Powers in proportion to their share in the composition of the Court as laid down in Article 15 and in the annexed table.[1] The appointment of deputy judges does not involve any contribution.

The Administrative Council applies to the Powers for the funds requisite for the working of the Court.

ARTICLE 48

Performance of duties when Court is not sitting.

When the Court is not sitting, the duties conferred upon it by Article 32, Article 34, paragraphs 2 and 3, Article 35, paragraph 1, and Article 46, paragraph 3, are discharged by a delegation of three judges appointed by the Court. This delegation decides by a majority of votes.

ARTICLE 49

Rules of procedure.

The Court itself draws up its own rules of procedure, which must be communicated to the contracting Powers.

It will meet to elaborate these rules within a year of the ratification of the present Convention.

---

[1] *Post*, p. 203.

### Article 50

Modifications in present Convention.

The Court may propose modifications in the provisions of the present Convention concerning procedure. These proposals are communicated, through the medium of the Netherland Government, to the contracting Powers, which will consider together as to the measures to be taken.

Final provisions.

## Part IV.—Final Provisions

### Article 51

Applicability of Convention.

The present Convention does not apply as of right except when the belligerent Powers are all parties to the Convention.

It is further fully understood that an appeal to the International Prize Court can only be brought by a contracting Power or the subject or citizen of a contracting Power.

In the cases mentioned in Article 5, the appeal is only admitted when both the owner and the person entitled to represent him are equally contracting Powers or the subjects or citizens of contracting Powers.

### Article 52

Ratifications.

The present Convention shall be ratified and the ratifications shall be deposited at The Hague as soon as all the Powers mentioned in Article 15 and in the table annexed are in a position to do so.

The deposit of the ratifications shall take place, in any case, on the 30th June, 1909, if the Powers which are ready to ratify furnish nine judges and nine deputy judges to the Court, qualified to validly constitute a Court. If not, the deposit shall be postponed until this condition is fulfilled.

A minute of the deposit of ratifications shall be drawn up, of which a certified copy shall be forwarded, through the diplomatic channel, to each of the Powers referred to in the first paragraph.[1]

### Article 53

Signatures and adhesions.

The Powers referred to in Article 15 and in the table annexed are entitled to sign the present Convention up to the deposit of the ratifications contemplated in paragraph 2 of the preceding article.

After this deposit, they can at any time adhere to it, purely and

[1]See Article 8 of the Additional Protocol, *post*, p. 207.

simply.[1] A Power wishing to adhere, notifies its intention in writing to the Netherland Government transmitting to it, at the same time, the act of adhesion, which shall be deposited in the archives of the said Government. The latter shall send, through the diplomatic channel, a certified copy of the notification and of the act of adhesion to all the Powers referred to in the preceding paragraph, informing them of the date on which it has received the notification.

### Article 54

Effect of Convention.

The present Convention shall come into force six months from the deposit of the ratifications contemplated in Article 52, paragraphs 1 and 2.

The adhesions shall take effect sixty days after notification of such adhesion has been received by the Netherland Government, or as soon as possible on the expiration of the period contemplated in the preceding paragraph.

The International Court shall, however, have jurisdiction to deal with prize cases decided by the national courts at any time after the deposit of the ratifications or of the receipt of the notification of the adhesions. In such cases, the period fixed in Article 28, paragraph 2, shall only be reckoned from the date when the Convention comes into force as regards a Power which has ratified or adhered.

### Article 55

Duration.

The present Convention shall remain in force for twelve years from the time it comes into force, as determined by Article 54, paragraph 1, even in the case of Powers which adhere subsequently.

Renewal.

It shall be renewed tacitly from six years to six years unless denounced.

Denunciation.

Denunciation must be notified in writing, at least one year before the expiration of each of the periods mentioned in the two preceding paragraphs, to the Netherland Government, which will inform all the other contracting Powers.

Denunciation shall only take effect in regard to the Power which has notified it. The Convention shall remain in force in the case of the other contracting Powers, provided that their participation in the appointment of judges is sufficient to allow of the composition of the Court with nine judges and nine deputy judges.

---

[1] See Article 9 of the Additional Protocol, *post*, p. 207.

### Article 56

Selection of judges by Administrative Council.

In case the present Convention is not in operation as regards all the Powers referred to in Article 15 and the annexed table, the Administrative Council shall draw up a list on the lines of that article and table of the judges and deputy judges through whom the contracting Powers will share in the composition of the Court. The times allotted by the said table to judges who are summoned to sit in rota will be redistributed between the different years of the six-year period in such a way that, as far as possible, the number of the judges of the Court in each year shall be the same. If the number of deputy judges is greater than that of the judges, the number of the latter can be completed by deputy judges chosen by lot among those powers which do not nominate a judge.

The list drawn up in this way by the Administrative Council shall be notified to the contracting Powers. It shall be revised when the number of these Powers is modified as the result of adhesions or denunciations.

The change resulting from an adhesion is not made until the 1st January after the date on which the adhesion takes effect, unless the adhering Power is a belligerent Power, in which case it can ask to be at once represented in the Court, the provision of Article 16 being, moreover, applicable if necessary.

When the total number of judges is less than eleven, seven judges form a quorum.

### Article 57

Modification of Article 15.

Two years before the expiration of each period referred to in paragraphs 1 and 2 of Article 55 any contracting Power can demand a modification of the provisions of Article 15 and of the annexed table, relative to its participation in the composition of the Court. The demand shall be addressed to the Administrative Council, which will examine it and submit to all the Powers proposals as to the measures to be adopted. The Powers shall inform the Administrative Council of their decision with the least possible delay. The result shall be at once, and at least one year and thirty days before the expiration of the said period of two years, communicated to the Power which made the demand.

When necessary, the modifications adopted by the Powers shall come into force from the commencement of the fresh period.

In faith whereof the plenipotentiaries have appended their signatures to the present Convention. Signing.

Done at The Hague, the 18th October, 1907, in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel to the Powers designated in Article 15 and in the table annexed. Deposit of original. Certified copies to Powers.

[Here follow signatures.]

## Annex to Article 15

*Distribution of Judges and Deputy Judges by Countries for Each Year of the Period of Six Years*

| JUDGES | DEPUTY JUDGES | JUDGES | DEPUTY JUDGES |
|---|---|---|---|
| *First Year* | | *Second Year* | |
| 1 Argentine | Paraguay | Argentine | Panama |
| 2 Colombia | Bolivia | Spain | Spain |
| 3 Spain | Spain | Greece | Roumania |
| 4 Greece | Roumania | Norway | Sweden |
| 5 Norway | Sweden | Netherlands | Belgium |
| 6 Netherlands | Belgium | Turkey | Luxemburg |
| 7 Turkey | Persia | Uruguay | Costa Rica |
| *Third Year* | | *Fourth Year* | |
| 1 Brazil | Dominican Rep. | Brazil | Guatemala |
| 2 China | Turkey | China | Turkey |
| 3 Spain | Portugal | Spain | Portugal |
| 4 Netherlands | Switzerland | Peru | Honduras |
| 5 Roumania | Greece | Roumania | Greece |
| 6 Sweden | Denmark | Sweden | Denmark |
| 7 Venezuela | Haiti | Switzerland | Netherlands |
| *Fifth Year* | | *Sixth Year* | |
| 1 Belgium | Netherlands | Belgium | Netherlands |
| 2 Bulgaria | Montenegro | Chile | Salvador |
| 3 Chile | Nicaragua | Denmark | Norway |
| 4 Denmark | Norway | Mexico | Ecuador |
| 5 Mexico | Cuba | Portugal | Spain |
| 6 Persia | China | Serbia | Bulgaria |
| 7 Portugal | Spain | Siam | China |

## ADDITIONAL PROTOCOL TO THE CONVENTION RELATIVE TO THE ESTABLISHMENT OF AN INTERNATIONAL COURT OF PRIZE[1]

Signed at The Hague, September 19, 1910

Contracting Powers.

Germany, the United States of America, the Argentine Republic, Austria-Hungary, Belgium, Bolivia, Bulgaria, Chile, Colombia, the Republic of Cuba, Denmark, Ecuador, Spain, France, Great Britain, Guatemala, Haiti, Italy, Japan, Mexico, Norway, Panama, Paraguay, the Netherlands, Peru, Persia, Portugal, Salvador, Siam, Sweden, Switzerland, Turkey, Uruguay,

Powers signatory to the Hague Convention dated October 18, 1907, for the establishment of an International Court of Prize,

Considering that for some of these Powers difficulties of a constitutional nature prevent the acceptance of the said Convention, in its present form,

Have deemed it expedient to agree upon an additional protocol taking into account these difficulties without jeopardizing any legitimate interest and have, to that end, appointed as their plenipotentiaries, to wit:

Plenipotentiaries.

Germany: His Excellency Félix von Müller, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

The United States of America: James Brown Scott.

The Argentine Republic: His Excellency Alejandro Guesalaga, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Austria-Hungary: Baron E. Gudenus, Chargé d'Affaires *ad interim* at The Hague.

Belgium: His Excellency Baron Fallon, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Bolivia: His Excellency General Ismael Montes, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Bulgaria: His Excellency Dimitri Stancioff, Envoy Extraordinary and Minister Plenipotentiary in France and Belgium.

Chile: His Excellency Federico Puga Borne, Envoy Extraordinary and Minister Plenipotentiary at Paris.

Colombia: His Excellency Ignacio Gutiérrez Ponce, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

The Republic of Cuba: Miguel Angel Campa, Chargé d'Affaires *ad interim* at The Hague.

Denmark: J. W. Grevenkop Castenskjold, Minister Resident at The Hague.

---

[1] *Foreign relations of the United States*, 1910, p. 631; Martens, *Nouveau Recueil Général de Traités*, 3d series, vol. vii, p. 73.

Ecuador: His Excellency Victor Manuel Rendón, Envoy Extraordinary and Minister Plenipotentiary at Paris.

Spain: His Excellency José de la Rica y Calvo, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

France: His Excellency Marcellin Pellet, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Great Britain: His Excellency Sir George William Buchanan, G. C. V. O., K. C. M. G., C. B., Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Guatemala: Francisco de Arce, Chargé d'Affaires *ad interim* at The Hague.

Haiti: His Excellency Georges Sylvain, Envoy Extraordinary and Minister Plenipotentiary at Paris.

Italy: His Excellency Count Giuseppe Sallier de la Tour, Duke of Calvello, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Japan: His Excellency Aimaro Sato, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Mexico: His Excellency Enrique Olarte, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Norway: His Excellency George Francis Hagerup, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Panama: Juan Antonio Jiménez, Chargé d'Affaires at The Hague.

Paraguay: Count Georges du Monceau de Bergendal, Consul of Paraguay at Brussels.

The Netherlands: His Excellency Jonkheer R. de Marees van Swinderen, Minister of Foreign Affairs.

Peru: His Excellency Manuel Alvarez Calderón, Envoy Extraordinary and Minister Plenipotentiary in Belgium and Switzerland.

Persia: His Excellency Mirza Ahmed Khan Sadigh ul-Mulk, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Portugal: Carlos Rangel de Sampaio, Chargé d'Affaires *ad interim* at The Hague.

Salvador: John Helsmoortel, Consul General of Salvador in Belgium.

Siam: His Excellency Phya Visutr Kosa, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Sweden: His Excellency Count Johan Jacob Albert Ehrensvärd, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Switzerland: Gaston Carlin, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Turkey: His Excellency Aristarchi Bey, Envoy Extraordinary and Minister Plenipotentiary at The Hague.

Uruguay: Virgilio Sampognaro, Chargé d'Affaires at The Hague.

Who, after depositing their full powers, found to be in good and due form, have agreed upon the following:

### Article 1

Rights of Powers signatory or adhering to Convention of October 18, 1907.

The Powers signatory or adhering to the Hague Convention of October 18, 1907, relative to the establishment of an International Court of Prize, which are prevented by difficulties of a constitutional nature from accepting the said Convention in its present form, have the right to declare in the instrument of ratification or adherence that in prize cases, whereof their national courts have jurisdiction, recourse to the International Court of Prize can only be exercised against them in the form of an action in damages for the injury caused by the capture.

### Article 2

In case of an action for damages.

In the case of recourse to the International Court of Prize, in the form of an action for damages, Article 8[1] of the Convention is not applicable; it is not for the Court to pass upon the validity or the nullity of the capture, nor to reverse or affirm the decision of the national tribunals.

Court determines amount to be allowed, if any.

If the capture is considered illegal, the Court determines the amount of damages to be allowed, if any, to the claimants.

### Article 3

The conditions to which recourse to the International Court of Prize is subject by the Convention are applicable to the action in damages.

### Article 4

Rules of procedure.

Under reserve of the provisions hereinafter stated the rules of procedure established by the Convention for recourse to the International Court of Prize shall be observed in the action in damages.

### Article 5

In derogation of Article 28 of Convention.

In derogation of Article 28, paragraph 1, of the Convention, the suit for damages can only be brought before the International Court of

[1] *Ante*, p. 191.

Prize by means of a written declaration addressed to the International Bureau of the Permanent Court of Arbitration; the case may even be brought before the Bureau by telegram.

### Article 6

In derogation of Article 29 of the Convention the International Bureau shall notify directly, and if possible by telegram, the Government of the belligerent captor of the declaration of action brought before it. In derogation of Article 29 of Convention.

The Government of the belligerent captor, without considering whether the prescribed periods of time have been observed, shall, within seven days of the receipt of the notification, transmit to the International Bureau the case, appending thereto a certified copy of the decision, if any, rendered by the national tribunal.

### Article 7

In derogation of Article 45, paragraph 2, of the Convention the Court rendering its decision and notifying it to the parties to the suit shall send directly to the Government of the belligerent captor the record of the case submitted to it, appending thereto a copy of the various intervening decisions as well as a copy of the minutes of the preliminary proceedings. In derogation of Article 45 of Convention.

### Article 8

The present additional protocol shall be considered as forming an integral part of and shall be ratified at the same time as the Convention. Present protocol to form integral part of treaty.

If the declaration provided for in Article 1 herein above is made in the instrument of the ratification, a certified copy thereof shall be inserted in the *procès-verbal* of the deposit of ratifications referred to in Article 52, paragraph 3, of the Convention.

### Article 9

Adherence to the Convention is subordinated to adherence to the present additional protocol. Adherence.

In faith of which the plenipotentiaries have affixed their signatures to the present additional protocol. Signing.

Deposit of original.

Certified copies to Powers.

Done at The Hague on the 19th day of September, 1910, in a single copy, which shall remain deposited in the archives of the Government of the Netherlands and of which duly certified copies shall be forwarded through diplomatic channels to the Powers designated in Article 15 of the Convention relative to the establishment of an International Court of Prize of October 18, 1907, and in its appendix.

[Here follow signatures.]

---

### SIGNATURES AND RESERVATIONS[1]

Both the 1907 Convention and the 1910 Additional Protocol have been signed by the following Powers:

| | |
|---|---|
| Argentine Republic | Mexico |
| Austria-Hungary | Netherlands |
| Belgium | Norway |
| Bolivia | Panama |
| Bulgaria | Paraguay |
| Chile | Persia |
| Colombia | Peru |
| Cuba | Portugal |
| Denmark | Salvador |
| Ecuador | Siam |
| France | Spain |
| Germany | Sweden |
| Great Britain | Switzerland |
| Guatemala | Turkey |
| Haiti | United States |
| Italy | Uruguay |
| Japan | |

*Reservations:*

Chile, Cuba, Ecuador, Guatemala, Haiti, Persia, Salvador, Siam, Turkey and Uruguay signed the Convention with reservation of Article 15.

---

[1]The deposit of ratifications provided for in Article 52, paragraph 2 (*ante*, p. 200) has not yet taken place.

## CONVENTION (XIII) CONCERNING THE RIGHTS AND DUTIES OF NEUTRAL POWERS IN NAVAL WAR

Signed at The Hague, October 18, 1907

His Majesty the German Emperor, King of Prussia; [etc.]:

Purpose of Convention.

With a view to harmonizing the divergent views which, in the event of naval war, are still held on the relations between neutral Powers and belligerent Powers, and to anticipating the difficulties to which such divergence of views might give rise;

Seeing that, even if it is not possible at present to concert measures applicable to all circumstances which may in practice occur, it is nevertheless undeniably advantageous to frame, as far as possible, rules of general application to meet the case where war has unfortunately broken out;

Seeing that, in cases not covered by the present Convention, it is expedient to take into consideration the general principles of the law of nations;

Seeing that it is desirable that the Powers should issue detailed enactments to regulate the results of the attitude of neutrality when adopted by them;

Seeing that it is, for neutral Powers, an admitted duty to apply these rules impartially to the several belligerents;

Seeing that, in this category of ideas, these rules should not, in principle, be altered, in the course of the war, by a neutral Power, except in a case where experience has shown the necessity for such change for the protection of the rights of that Power;

Plenipotentiaries.

Have agreed to observe the following common rules, which can not however modify provisions laid down in existing general treaties, and have appointed as their plenipotentiaries, namely:

[Here follow the names of plenipotentiaries.]

Who, after having deposited their full powers, found in good and due form, have agreed upon the following provisions:

### Article 1

Belligerents to respect rights of neutral Powers.

Belligerents are bound to respect the sovereign rights of neutral Powers and to abstain, in neutral territory or neutral waters, from any act which would, if knowingly permitted by any Power, constitute a violation of neutrality.

### Article 2

Hostile acts in neutral waters forbidden.

Any act of hostility, including capture and the exercise of the right of search, committed by belligerent war-ships in the territorial waters of a neutral Power, constitutes a violation of neutrality and is strictly forbidden.

### Article 3

Release of ships captured: by neutral Power;

When a ship has been captured in the territorial waters of a neutral Power, this Power must employ, if the prize is still within its jurisdiction, the means at its disposal to release the prize with its officers and crew, and to intern the prize crew.

by captor Government.

If the prize is not in the jurisdiction of the neutral Power, the captor Government, on the demand of that Power, must liberate the prize with its officers and crew.[1]

### Article 4

Prize courts forbidden in neutral territory.

A prize court can not be set up by a belligerent on neutral territory or on a vessel in neutral waters.

### Article 5

Use of neutral ports by belligerents forbidden.

Belligerents are forbidden to use neutral ports and waters as a base of naval operations against their adversaries, and in particular to erect wireless telegraphy stations or any apparatus for the purpose of communicating with the belligerent forces on land or sea.

### Article 6

War supplies to belligerents forbidden.

The supply, in any manner, directly or indirectly, by a neutral Power to a belligerent Power, of war-ships, ammunition, or war material of any kind whatever, is forbidden.

---

[1]See the reservation of the United States respecting this paragraph, *post*, p. 219.

### Article 7

Right of export, etc. allowed.

A neutral Power is not bound to prevent the export or transit, for the use of either belligerent, of arms, ammunition, or, in general, of anything which could be of use to an army or fleet.

### Article 8

Arming, etc., for hostile use to be prevented by neutral.

A neutral Government is bound to employ the means at its disposal to prevent the fitting out or arming of any vessel within its jurisdiction which it has reason to believe is intended to cruise, or engage in hostile operations, against a Power with which that Government is at peace. It is also bound to display the same vigilance to prevent the departure from its jurisdiction of any vessel intended to cruise, or engage in hostile operations, which had been adapted entirely or partly within the said jurisdiction for use in war.

### Article 9

Impartiality to belligerents.

A neutral Power must apply impartially to the two belligerents the conditions, restrictions, or prohibitions made by it in regard to the admission into its ports, roadsteads, or territorial waters, of bel ligerent war-ships or of their prizes.

Prohibitions allowed.

Nevertheless, a neutral Power may forbid a belligerent vessel which has failed to conform to the orders and regulations made by it, or which has violated neutrality, to enter its ports or roadsteads.

### Article 10[1]

Passing through neutral waters allowed.

The neutrality of a Power is not affected by the mere passage through its territorial waters of war-ships or prizes belonging to belligerents.

### Article 11[2]

Pilots.

A neutral Power may allow belligerent war-ships to employ its licensed pilots.

### Article 12[3]

Temporary stay in ports.

In the absence of special provisions to the contrary in the legislation of a neutral Power, belligerent war-ships are not permitted to remain in the ports, roadsteads, or territorial waters of the said Power

---

[1]See the declaration of Turkey as to the Dardanelles and Bosphorus, *post*, p. 219.

[2]Germany made reservation of Article 11.

[3]The Dominican Republic, Germany, Persia and Siam made reservation of Article 12.

for more than twenty-four hours, except in the cases covered by the present Convention.

### Article 13[1]

Departure of war-ships on outbreak of hostilities.

If a Power which has been informed of the outbreak of hostilities learns that a belligerent war-ship is in one of its ports or roadsteads, or in its territorial waters, it must notify the said ship to depart within twenty-four hours or within the time prescribed by local regulations.

### Article 14

Detention by reason of damage, etc.

A belligerent war-ship may not prolong its stay in a neutral port beyond the permissible time except on account of damage or stress of weather. It must depart as soon as the cause of the delay is at an end.

Vessels permitted to remain.

The regulations as to the question of the length of time which these vessels may remain in neutral ports, roadsteads, or waters, do not apply to war-ships devoted exclusively to religious, scientific, or philanthropic purposes.[2]

### Article 15

Maximum of war-ships allowed in ports.

In the absence of special provisions to the contrary in the legislation of a neutral Power, the maximum number of war-ships belonging to a belligerent which may be in one of the ports or roadsteads of that Power simultaneously shall be three.

### Article 16

Departure of war-ships of both belligerents.

When war-ships belonging to both belligerents are present simultaneously in a neutral port or roadstead, a period of not less than twenty-four hours must elapse between the departure of the ship belonging to one belligerent and the departure of the ship belonging to the other.

Order of departure.

The order of departure is determined by the order of arrival, unless the ship which arrived first is so circumstanced that an extension of its stay is permissible.

Allowance to merchant ships.

A belligerent war-ship may not leave a neutral port or roadstead until twenty-four hours after the departure of a merchant ship flying the flag of its adversary.

---

[1] Germany made reservation of Article 13.
[2] China made reservation of this paragraph.

### Article 17

Repairs permitted war-ships.

In neutral ports and roadsteads belligerent war-ships may only carry out such repairs as are absolutely necessary to render them seaworthy, and may not add in any manner whatsoever to their fighting force. The local authorities of the neutral Power shall decide what repairs are necessary, and these must be carried out with the least possible delay.

### Article 18

Use of neutral ports, etc., by war-ships forbidden.

Belligerent war-ships may not make use of neutral ports, roadsteads, or territorial waters for replenishing or increasing their supplies of war material or their armament, or for completing their crews.

### Article 19[1]

Revictualing permitted.

Belligerent war-ships may only revictual in neutral ports or roadsteads to bring up their supplies to the peace standard.

Fuel.

Similarly these vessels may only ship sufficient fuel to enable them to reach the nearest port in their own country. They may, on the other hand, fill up their bunkers built to carry fuel, when in neutral countries which have adopted this method of determining the amount of fuel to be supplied.

Time for coaling.

If, in accordance with the law of the neutral Power, the ships are not supplied with coal within twenty-four hours of their arrival, the permissible duration of their stay is extended by twenty-four hours.

### Article 20[2]

Restriction on recoaling.

Belligerent war-ships which have shipped fuel in a port belonging to a neutral Power may not within the succeeding three months replenish their supply in a port of the same Power.

### Article 21[3]

When prizes may enter neutral ports.

A prize may only be brought into a neutral port on account of unseaworthiness, stress of weather, or want of fuel or provisions.

Duration of stay.

It must leave as soon as the circumstances which justified its entry are at an end. If it does not, the neutral Power must order it to leave at once; should it fail to obey, the neutral Power must employ the means at its disposal to release it with its officers and crew and to intern the prize crew.

---

[1]China, Great Britain, Japan, Persia and Siam made reservation of Article 19.
[2]Germany made reservation of Article 20.
[3]Persia made reservation of Article 21.

### Article 22

Release of prizes.

A neutral Power must, similarly, release a prize brought into one of its ports under circumstances other than those referred to in Article 21.

### Article 23[1]

Sequestration of prizes.

A neutral Power may allow prizes to enter its ports and roadsteads, whether under convoy or not, when they are brought there to be sequestrated pending the decision of a Prize Court. It may have the prize taken to another of its ports.

Prize crews.

If the prize is convoyed by a war-ship, the prize crew may go on board the convoying ship.

If the prize is not under convoy, the prize crew are left at liberty.

### Article 24

Detention of war-ships refusing to leave.

If, notwithstanding the notification of the neutral Power, a belligerent ship of war does not leave a port where it is not entitled to remain, the neutral Power is entitled to take such measures as it considers necessary to render the ship incapable of taking the sea during the war, and the commanding officer of the ship must facilitate the execution of such measures.

Officers and crew.

When a belligerent ship is detained by a neutral Power, the officers and crew are likewise detained.

Disposition.

The officers and crew thus detained may be left in the ship or kept either on another vessel or on land, and may be subjected to the measures of restriction which it may appear necessary to impose upon them. A sufficient number of men for looking after the vessel must, however, be always left on board.

Officers paroled.

The officers may be left at liberty on giving their word not to quit the neutral territory without permission.

### Article 25

Surveillance by neutral Powers.

A neutral Power is bound to exercise such surveillance as the means at its disposal allow to prevent any violation of the provisions of the above articles occurring in its ports or roadsteads or in its waters.

---

[1]Reservations as to this article were made by Great Britain, Japan, Siam and the United States.

ARTICLE 26

Exercise of neutral rights not an unfriendly act.

The exercise by a neutral Power of the rights laid down in the present Convention can under no circumstances be considered as an unfriendly act by one or other belligerent who has accepted the articles relating thereto.

ARTICLE 27[1]

Promulgation of laws, etc. in force.

The contracting Powers shall communicate to each other in due course all laws, proclamations, and other enactments regulating in their respective countries the status of belligerent war-ships in their ports and waters, by means of a communication addressed to the Government of the Netherlands, and forwarded immediately by that Government to the other contracting Powers.

ARTICLE 28

Contracting Powers only affected.

The provisions of the present Convention do not apply except between contracting Powers, and then only if all the belligerents are parties to the Convention.

ARTICLE 29

The present Convention shall be ratified as soon as possible.

The ratifications shall be deposited at The Hague.

Ratification.

Deposit at The Hague.

The first deposit of ratifications shall be recorded in a *procès-verbal* signed by the representatives of the Powers which take part therein and by the Netherland Minister for Foreign Affairs.

The subsequent deposits of ratifications shall be made by means of a written notification addressed to the Netherland Government and accompanied by the instrument of ratification.

Certified copies to Powers.

A duly certified copy of the *procès-verbal* relative to the first deposit of ratifications, of the ratifications mentioned in the preceding paragraph, as well as of the instruments of ratification, shall be at once sent by the Netherland Government, through the diplomatic channel, to the Powers invited to the Second Peace Conference, as well as to the other Powers which have adhered to the Convention. In the cases contemplated in the preceding paragraph, the said Government shall inform them at the same time of the date on which it received the notification.

---

[1]China made reservation of this article.

### Article 30

Adhesion of non-signatory Powers. Notification of intent.

Non-signatory Powers may adhere to the present Convention.

The Power which desires to adhere notifies in writing its intention to the Netherland Government, forwarding to it the act of adhesion, which shall be deposited in the archives of the said Government.

Communication to other Powers.

That Government shall at once transmit to all the other Powers a duly certified copy of the notification as well as of the act of adhesion, mentioning the date on which it received the notification.

### Article 31

Effect of ratification.

The present Convention shall come into force in the case of the Powers which were a party to the first deposit of the ratifications, sixty days after the date of the *procès-verbal* of that deposit, and, in the case of the Powers who ratify subsequently or who adhere, sixty days after the notification of their ratification or of their decision has been received by the Netherland Government.

### Article 32

Denunciation.

In the event of one of the contracting Powers wishing to denounce the Present Convention, the denunciation shall be notified in writing to the Netherland Government, who shall at once communicate a duly certified copy of the notification to all the other Powers, informing them of the date on which it was received.

Notifying Power only affected.

The denunciation shall only have effect in regard to the notifying Power, and one year after the notification has been made to the Netherland Government.

### Article 33

Register.

A register kept by the Netherland Ministry for Foreign Affairs shall give the date of the deposit of ratifications made by Article 29, paragraphs 3 and 4, as well as the date on which the notifications of adhesion (Article 30, paragraph 2) or of denunciation (Article 32, paragraph 1) have been received.

Each contracting Power is entitled to have access to this register and to be supplied with duly certified extracts.

Signing.

In faith whereof the plenipotentiaries have appended their signatures to the present Convention.

Deposit of original.

Done at The Hague, the 18th October, 1907, in a single copy, which

shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the Powers which have been invited to the Second Peace Conference. Certified copies to Powers.

[Here follow signatures.]

---

### RATIFICATIONS, ADHESIONS AND RESERVATIONS

The foregoing Convention was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | November 27, 1909 |
| Belgium | August 8, 1910 |
| Brazil | January 5, 1914 |
| Denmark | November 27, 1909 |
| France | October 7, 1910 |
| Germany | November 27, 1909 |
| Guatemala | March 15, 1911 |
| Haiti | February 2, 1910 |
| Japan | December 13, 1911 |
| Luxemburg | September 5, 1912 |
| Mexico | November 27, 1909 |
| Netherlands | November 27, 1909 |
| Norway | September 19, 1910 |
| Panama | September 11, 1911 |
| Portugal | April 13, 1911 |
| Roumania | March 1, 1912 |
| Russia | November 27, 1909 |
| Salvador | November 27, 1909 |
| Siam | March 12, 1910 |
| Sweden | November 27, 1909 |
| Switzerland | May 12, 1910 |

*Adhesions:*

| | |
|---|---|
| China | January 15, 1910 |
| Liberia | February 4, 1914 |
| Nicaragua | December 16, 1909 |
| United States | December 3, 1909 |

The following Powers signed the Convention but have not yet ratified:

| | |
|---|---|
| Argentine Republic | Italy |
| Bolivia | Montenegro |
| Bulgaria | Paraguay |
| Chile | Persia |
| Colombia | Peru |
| Dominican Republic | Serbia |
| Ecuador | Turkey |
| Great Britain | Uruguay |
| Greece | Venezuela |

*Reservations:*[1]

China

Adhesion with reservation of paragraph 2 of Article 14, paragraph 3 of Article 19, and of Article 27.

Dominican Republic

With reservation regarding Article 12.

Germany

Under reservation of Articles 11, 12, 13 and 20.[2]

Great Britain

Under reservation of Articles 19 and 23.

Japan

With reservation of Articles 19 and 23.[2]

Persia

Under reservation of Articles 12, 19 and 21.

Siam

Under reservation of Articles 12, 19 and 23.[2]

Turkey

Under reservation of the declaration concerning Article 10 contained in the *procès-verbal* of the eighth plenary session of the Conference held on October 9, 1907.

---

[1]All these reservations, except those of China and the United States, were made at signature.

[2]Reservation maintained at ratification.

*Extract from the procès-verbal:*

The Ottoman delegation declares that the straits of the Dardanelles and the Bosphorus can not in any case be referred to by Article 10. The Imperial Government could undertake no engagement whatever tending to limit its undoubted rights over these straits.[1]

United States

The act of adhesion contains the following reservation:

That the United States adheres to the said Convention, subject to the reservation and exclusion of its Article 23 and with the understanding that the last clause of Article 3 thereof implies the duty of a neutral Power to make the demand therein mentioned for the return of a ship captured within the neutral jurisdiction and no longer within that jurisdiction.

[1]Statement of Turkhan Pasha. *Actes et documents,* vol. i, p. 285.

## THE HAGUE DECLARATIONS OF 1899 (IV, 1) AND 1907 (XIV) PROHIBITING THE DISCHARGE OF PROJECTILES AND EXPLOSIVES FROM BALLOONS

### 1899

DECLARATION (IV, 1) to prohibit for the term of five years the launching of projectiles and explosives from balloons, and other new methods of a similar nature.—Signed at The Hague, July 29, 1899.

International Declaration.

The undersigned, plenipotentiaries of the Powers represented at the International Peace Conference at The Hague, duly authorized to that effect by their Governments, inspired by the sentiments which found expression in the Declaration of St. Petersburg of the 29th November (11th December), 1868,

Declare that:

Launching projectiles from balloons, etc., prohibited.

The contracting Powers agree to prohibit, for a term of five years, the launching of projectiles and explosives from balloons, or by other new methods of similar nature.

### 1907

DECLARATION (XIV) prohibiting the discharge of projectiles and explosives from balloons.—Signed at The Hague, October 18, 1907.[1]

The undersigned, plenipotentiaries of the Powers *invited to the Second* International Peace Conference at The Hague, duly authorized to that effect by their Governments, inspired by the sentiments which found expression in the Declaration of St. Petersburg of the 29th November (11th December), 1868, *and being desirous of renewing the declaration of The Hague of the 29th July, 1899, which has now expired,*

Declare:

The contracting Powers agree to prohibit, for a *period extending to the close of the Third Peace Conference,* the discharge of projectiles and explosives from balloons or by other new methods of a similar nature.

---

[1]Italics indicate differences between the Declarations of 1899 and 1907.

| 1899 | 1907 | |
|---|---|---|
| The present Declaration is only binding on the contracting Powers in case of war between two or more of them. | The present Declaration is only binding on the contracting Powers in case of war between two or more of them. | Powers bound. |
| It shall cease to be binding from the time when, in a war between the contracting Powers, one of the belligerents is joined by a non-contracting Power. | It shall cease to be binding from the time when, in a war between the contracting Powers, one of the belligerents is joined by a non-contracting Power. | Exemption. |
| The present Declaration shall be ratified as soon as possible. | The present Declaration shall be ratified as soon as possible. | Ratification. |
| The ratifications shall be deposited at The Hague. | The ratifications shall be deposited at The Hague. | Deposit at The Hague. |
| A procès-verbal shall be drawn up on the receipt of each ratification, of which a copy, duly certified, shall be sent through the diplomatic channel to all the contracting Powers. | A procès-verbal shall be drawn up recording the receipt of the ratifications, of which a duly certified copy shall be sent, through the diplomatic channel, to all the contracting Powers. | Certified copies to Powers. |
| The non-signatory Powers may adhere to the present Declaration. For this purpose they must make their adhesion known to the contracting Powers by means of a written notification addressed to the Netherland Government, and communicated by it to all the other contracting Powers. | Non-signatory Powers may adhere to the present Declaration. To do so, they must make known their adhesion to the contracting Powers by means of a written notification, addressed to the Netherland Government, and communicated by it to all the other contracting Powers. | Adhesion of non-signatory Powers. |
| In the event of one of the high contracting Parties denouncing the present Declaration, such denunciation shall not take effect until a year after the notification made in writing to the Netherland Government, and by it forthwith communicated to all the other contracting Powers. | In the event of one of the high contracting Parties denouncing the present Declaration, such denunciation shall not take effect until a year after the notification made in writing to the Netherland Government, and forthwith communicated by it to all the other contracting Powers. | Denunciation. |
| This denunciation shall only affect the notifying Power. | This denunciation shall only have effect in regard to the notifying Power. | Notifying Power only affected. |

| 1899 | 1907 |
|---|---|
| Signing. In faith of which the plenipotentiaries have signed the present Declaration, and affixed their seals thereto. | In faith whereof the plenipotentiaries have *appended their signatures* to the present Declaration. |
| Deposit of original. Done at The Hague, the 29th July, 1899, in a single copy, which shall be kept in the archives of the Netherland Government, and of which copies, duly certified, shall be sent through the diplomatic channel to the contracting Powers. | Done at The Hague, *the 18th October, 1907,* in a single copy, which shall remain deposited in the archives of the Netherland Government, and duly certified copies of which shall be sent, through the diplomatic channel, to the contracting Powers. |
| [Here follow signatures.] | [Here follow signatures.] |

---

RATIFICATIONS, ADHESIONS AND RESERVATIONS

**The 1899 Declaration** was *ratified* by the following signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | September 4, 1900 |
| Belgium | September 4, 1900 |
| Bulgaria | September 4, 1900 |
| China | November 21, 1904 |
| Denmark | September 4, 1900 |
| France | September 4, 1900 |
| Germany | September 4, 1900 |
| Greece | April 4, 1901 |
| Italy | September 4, 1900 |
| Japan | October 6, 1900 |
| Luxemburg | July 12, 1901 |
| Mexico | April 17, 1901 |
| Montenegro | October 16, 1900 |
| Netherlands | September 4, 1900 |
| Norway | (See Sweden and Norway.) |
| Persia | September 4, 1900 |
| Portugal | September 4, 1900 |
| Roumania | September 4, 1900 |
| Russia | September 4, 1900 |

Serbia ..... May 11, 1901
Siam ..... September 4, 1900
Spain ..... September 4, 1900
Sweden and Norway ..... September, 4, 1900
Switzerland ..... December 29, 1900
United States ..... September 4, 1900

*Adhesions:* none.

Power which signed but did not ratify: Turkey

*Reservations:* none

---

**The 1907 Declaration** was *ratified* by the following signatory Powers on the dates indicated:

Belgium ..... August 8, 1910
Bolivia ..... November 27, 1909
Brazil ..... January 5, 1914
China ..... November 27, 1909
Great Britain ..... November 27, 1909
Haiti ..... February 2, 1910
Luxemburg ..... September 5, 1912
Netherlands ..... November 27, 1909
Norway ..... September 19, 1910
Panama ..... September 11, 1911
Portugal ..... April 13, 1911
Salvador ..... November 27, 1909
Siam ..... March 12, 1910
Switzerland ..... May 12, 1910
United States ..... November 27, 1909

*Adhesions:*
Liberia ..... February 4, 1914
Nicaragua ..... December 16, 1909

The following Powers signed the Declaration but have not yet ratified:

| | |
|---|---|
| Argentine Republic | Ecuador |
| Austria-Hungary | Greece |
| Bulgaria | Persia |
| Colombia | Peru |
| Cuba | Turkey |
| Dominican Republic | Uruguay |

*Reservations:* none.

## DECLARATION (IV, 2) CONCERNING ASPHYXIATING GASES

Signed at The Hague, July 29, 1899

Preamble.

The undersigned, plenipotentiaries of the Powers represented at the International Peace Conference at The Hague, duly authorized to that effect by their Governments, inspired by the sentiments which found expression in the Declaration of St. Petersburg of the 29th November (11th December), 1868,

Declare as follows:

Abstention from use of projectile diffusing asphyxiating gases.

The contracting Powers agree to abstain from the use of projectiles the sole object of which is the diffusion of asphyxiating or deleterious gases.

Powers bound.

The present Declaration is only binding on the contracting Powers in the case of a war between two or more of them.

Exemption.

It shall cease to be binding from the time when, in a war between the contracting Powers, one of the belligerents shall be joined by a non-contracting Power.

Ratification.

The present Declaration shall be ratified as soon as possible.

Deposit at The Hague.

The ratifications shall be deposited at The Hague.

Notification to Powers.

A *procès-verbal* shall be drawn up on the receipt of each ratification, a copy of which, duly certified, shall be sent through the diplomatic channel to all the contracting Powers.

Adhesion.

The non-signatory Powers can adhere to the present Declaration. For this purpose they must make their adhesion known to the contracting Powers by means of a written notification addressed to the Netherland Government, and by it communicated to all the other contracting Powers.

Denunciation.

In the event of one of the high contracting Parties denouncing the present Declaration, such denunciation shall not take effect until a year after the notification made in writing to the Government of the Netherlands, and forthwith communicated by it to all the other contracting Powers.

Notifying Power only affected.

This denunciation shall only affect the notifying Power.

Signing.

In faith of which the plenipotentiaries have signed the present Declaration, and affixed their seals thereto.

Deposit of original.

Done at The Hague, the 29th July, 1899, in a single copy, which shall be kept in the archives of the Netherland Government, and copies of which, duly certified, shall be sent by the diplomatic channel to the contracting Powers.

Certified copies to Powers.

[Here follow signatures.]

---

### RATIFICATIONS, ADHESIONS AND RESERVATIONS

The foregoing Declaration was *ratified* by all the signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | September 4, 1900 |
| Belgium | September 4, 1900 |
| Bulgaria | September 4, 1900 |
| China | November 21, 1904 |
| Denmark | September 4, 1900 |
| France | September 4, 1900 |
| Germany | September 4, 1900 |
| Greece | April 4, 1901 |
| Italy | September 4, 1900 |
| Japan | October 6, 1900 |
| Luxemburg | July 12, 1901 |
| Mexico | April 17, 1901 |
| Montenegro | October 16, 1900 |
| Netherlands | September 4, 1900 |
| Norway | (See Sweden and Norway.) |
| Persia | September 4, 1900 |
| Portugal | September 4, 1900 |
| Roumania | September 4, 1900 |
| Russia | September 4, 1900 |
| Serbia | May 11, 1901 |
| Siam | September 4, 1900 |
| Spain | September 4, 1900 |
| Sweden and Norway | September 4, 1900 |
| Switzerland | December 29, 1900 |
| Turkey | June 12, 1907 |

*Adhesions:*

| | |
|---|---|
| Great Britain | August 30,1907 |
| Nicaragua | October 11, 1907 |

*Reservations:* none.

## DECLARATION (IV, 3) CONCERNING EXPANDING BULLETS

Signed at The Hague, July 29, 1899

Preamble. The undersigned, plenipotentiaries of the Powers represented at the International Peace Conference at The Hague, duly authorized to that effect by their Governments, inspired by the sentiments which found expression in the Declaration of St. Petersburg of the 29th November (11th December), 1868,

Declare as follows:

Abstention from use of expanding bullets. The contracting Parties agree to abstain from the use of bullets which expand or flatten easily in the human body, such as bullets with a hard envelope which does not entirely cover the core or is pierced with incisions.

Powers bound. The present Declaration is only binding for the contracting Powers in the case of a war between two or more of them.

Exemption. It shall cease to be binding from the time when, in a war between the contracting Powers, one of the belligerents is joined by a non-contracting Power.

Ratification. The present Declaration shall be ratified as soon as possible.

Deposit at The Hague. The ratification shall be deposited at The Hague.

Notification to Powers. A *procès-verbal* shall be drawn up on the receipt of each ratification, a copy of which, duly certified, shall be sent through the diplomatic channel to all the contracting Powers.

Adhesion. The non-signatory Powers may adhere to the present Declaration. For this purpose they must make their adhesion known to the contracting Powers by means of a written notification addressed to the Netherland Government, and by it communicated to all the other contracting Powers.

Denunciation. In the event of one of the high contracting Parties denouncing the present Declaration, such denunciation shall not take effect until a year after the notification made in writing to the Netherland Government, and forthwith communicated by it to all the other contracting Powers.

Notifying Power only affected. This denunciation shall only affect the notifying Power.

Signing.

In faith of which the plenipotentiaries have signed the present Declaration, and have affixed their seals thereto.

Deposit of original.

Done at The Hague, the 29th July, 1899, in a single copy, which shall be kept in the archives of the Netherland Government, and of which copies, duly certified, shall be sent through the diplomatic channel to the contracting Powers.

Certified copies to Powers.

[Here follow signatures.]

---

### RATIFICATIONS, ADHESIONS AND RESERVATIONS

The foregoing Declaration was *ratified* by all the signatory Powers on the dates indicated:

| | |
|---|---|
| Austria-Hungary | September 4, 1900 |
| Belgium | September 4, 1900 |
| Bulgaria | September 4, 1900 |
| China | November 21, 1904 |
| Denmark | September 4, 1900 |
| France | September 4, 1900 |
| Germany | September 4, 1900 |
| Greece | April 4, 1901 |
| Italy | September 4, 1900 |
| Japan | October 6, 1900 |
| Luxemburg | July 12, 1901 |
| Mexico | April 17, 1901 |
| Montenegro | October 16, 1900 |
| Netherlands | September 4, 1900 |
| Norway | (See Sweden and Norway.) |
| Persia | September 4, 1900 |
| Roumania | September 4, 1900 |
| Russia | September 4, 1900 |
| Serbia | May 11, 1901 |
| Siam | September 4, 1900 |
| Spain | September 4, 1900 |
| Sweden and Norway | September 4, 1900 |
| Switzerland | December 29, 1900 |
| Turkey | June 12, 1907 |

*Adhesions:*

| | |
|---|---|
| Great Britain | August 30, 1907 |
| Nicaragua | October 11, 1907 |
| Portugal | August 29, 1907 |

*Reservations:* none.

# SUMMARY

OF THE

# SIGNATURES, RATIFICATIONS, ADHESIONS AND RESERVATIONS

TO THE

# CONVENTIONS AND DECLARATIONS OF THE FIRST CONFERENCE

| Abbreviations<br>S—signed.<br>Rat.—ratified.<br>Adh.—adhered.<br>Res.—reservation. | I<br>Convention for the pacific settlement of international disputes | II<br>Convention with respect to the laws and customs of war on land | III<br>Convention for the adaptation o maritime warfare of the principles of the Geneva Convention | IV(1)<br>Declaration prohibiting the launching of projectiles or explosives from balloons | IV(2)<br>Declaration concerning asphyxiating gases | IV(3)<br>Declaration concerning expanding bullets | Final Act |
|---|---|---|---|---|---|---|---|
| **Argentine Republic** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. June 17, 1907; June 15, 1907, as to Convention I. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Austria-Hungary** | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Belgium** | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Bolivia** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. Feb. 7, 1907; June 15, 1907, as to Convention I. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Brazil** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. Feb. 25, 1907; June 15, 1907, as to Convention I. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Bulgaria** | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Chile** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. June 19, 1907; June 15, 1907, as to Convention I. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **China** | S | ..... | S | S | S | S | S |
| Rat. Nov. 21, 1904; Adh. June 12, 1907. | Rat. | Adh. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Colombia** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. Jan. 30, 1907; June 15, 1907, as to Convention I. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Cuba** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. June 15, 1907, April 17, 1907, and June 29, 1907, as to Conventions I, II, and III, respectively. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Denmark** | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Dominican Republic** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. June 15, 1907, April 13, 1907, and June 29, 1907, as to Conventions I, II and III respectively. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Ecuador** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. July 3, 1907, July 31, 1907, and Aug. 5, 1907, as to Conventions I, II, and III, respectively. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **France** | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Germany** | S | S | S res. | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |

| Abbreviations<br>S—signed.<br>Rat.—ratified.<br>Adh.—adhered.<br>Res.—reservation. | I<br>Convention for the pacific settlement of international disputes | II<br>Convention with respect to the laws and customs of war on land | III<br>Convention for the adaptation to maritime warfare of the principles of the Geneva Convention | IV(1)<br>Declaration prohibiting the launching of projectiles or explosives from balloons | IV(2)<br>Declaration concerning asphyxiating gases | IV(3)<br>Declaration concerning expanding bullets | Final Act |
|---|---|---|---|---|---|---|---|
| **Great Britain** | S | S | S res. | ..... | ..... | ..... | S |
| Rat. Sept. 4, 1900; Adh. Aug. 30, 1907. | Rat. | Rat. | Rat. | ..... | Adh. | Adh. | ..... |
| **Greece** | S | S | S | S | S | S | S |
| Rat. Apr. 4, 1901 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Guatemala** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. June 15, 1907, May 2, 1906, and Apr. 6, 1903, as to Conventions I, II, and III, respectively. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Haiti** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. June 15, 1907, May 24, 1907, and June 29, 1907, as to Conventions I, II, and III, respectively. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Honduras** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. Aug. 21, 1906 | ..... | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Italy** | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Japan** | S | S | S | S | S | S | S |
| Rat. Oct. 6, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Korea** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. Mar. 17, 1903; Feb. 7, 1903, as to Convention III. | ..... | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Luxemburg** | S | S | S | S | S | S | S |
| Rat. July 12, 1901 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Mexico** | S | S | S | S | S | S | S |
| Rat. Apr. 17, 1901 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Montenegro** | S | S | S | S | S | S | S |
| Rat. Oct. 16, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Netherlands** | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Nicaragua** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. June 15, 1907, as to Convention I; May 17, 1907, as to Conventions II and III; Oct. 11, 1907, as to Declarations 2 and 3. | Adh. | Adh. | Adh. | ..... | Adh. | Adh. | ..... |
| **Norway** [1] | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900; July 5, 1907, as to Convention II. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Panama** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. June 15, 1907, July 20, 1907, and July 22, 1907, as to Conventions I, II, and III, respectively. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |

1 See footnote on p. 232.

| Abbreviations<br>S—signed<br>Rat.—ratified.<br>Adh.—adhered.<br>Res.—reservation. | I<br>Convention for the pacific settlement of international disputes | II<br>Convention with respect to the laws and customs of war on land | III<br>Convention for the adaptation to maritime warfare of the principles of the Geneva Convention | IV(1)<br>Declaration prohibiting the launching of projectiles or explosives from balloons | IV(2)<br>Declaration concerning asphyxiating gases | IV(3)<br>Declaration concerning expanding bullets | Final Act |
|---|---|---|---|---|---|---|---|
| **Paraguay** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. June 15, 1907, April 12, 1907, and June 29, 1907, as to Conventions I, II, and III, respectively. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Persia** | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Peru** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. Nov. 24, 1903; June 15, 1907, as to Convention I. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Portugal** | S | S | S | S | S | ..... | S |
| Rat. Sept. 4, 1900; Adh. Aug. 29, 1907. | Rat. | Rat. | Rat. | Rat. | Rat. | Adh. | ..... |
| **Roumania** | S res. | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. res. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Russia** | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Salvador** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. June 20, 1902; June 20, 1907, as to Convention I. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Serbia** | S res. | S | S | S | S | S | S |
| Rat. May 11, 1901 | Rat. res. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Siam** | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Spain** | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Sweden** [1] | S | S | S | S | S | S | S |
| Rat. Sept. 4, 1900; July 5, 1907, as to Convention II. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Switzerland** | S | ..... | S | S | S | S | S |
| Rat. Dec. 29, 1900, Adh. June 20, 1907. | Rat. | Adh. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Turkey** | S res | S | S res. | S | S | S | S |
| Rat. June 12, 1907 | Rat. | Rat. | Rat. | ..... | Rat. | Rat. | ..... |
| **United States** | S res. | S | S res. | S | ..... | ..... | S |
| Rat. Sept. 4, 1900; Apr. 9, 1902, as to Convention II. | Rat. res. | Rat. | Rat. | Rat. | ..... | ..... | ..... |
| **Uruguay** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. June 21, 1906; June 17, 1907, as to Convention I. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |
| **Venezuela** | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. Mar. 1, 1907; June 15, 1907, as to Convention I. | Adh. | Adh. | Adh. | ..... | ..... | ..... | ..... |

[1] Sweden and Norway constituted a Union until 1905. Action taken by them prior to that date was taken as a single Power.

## RESERVATIONS AT SIGNATURE[1]

### CONVENTION I

**Roumania.** Under the reservations formulated with respect to Articles 16, 17 and 19 of the present Convention (15, 16 and 18 of the project presented by the committee on examination), and recorded in the *procès-verbal* of the sitting of the Third Commission of July 20, 1899.

*Extract from the procès-verbal:*

The Royal Government of Roumania being completely in favor of the principle of *facultative* arbitration, of which it appreciates the great importance in international relations, nevertheless does not intend to undertake, by Article 15, an engagement to accept arbitration in every case there provided for, and it believes it ought to form express reservations in that respect.

It can not therefore vote for this article, except under that reservation.

The Royal Government of Roumania declares that it can not adhere to Article 16 except with the express reservation, entered in the *procès-verbal,* that it has decided not to accept, in any case, an international arbitration for disagreements or disputes previous to the conclusion of the present Convention.

The Royal Government of Roumania declares that in adhering to Article 18 of the Convention, it makes no engagement in regard to obligatory arbitration.[2]

**Serbia.** Under the reservations recorded in the *procès-verbal* of the Third Commission of July 20, 1899.

*Extract from the procès-verbal:*

In the name of the Royal Government of Serbia, we have the honor to declare that our adoption of the principle of good offices and mediation does not imply a recognition of the right of third States to use these means except with the extreme reserve which proceedings of this delicate nature require.

We do not admit good offices and mediation except on condition that their character of purely friendly counsel is maintained fully and completely, and we never could accept them in forms and circumstances such as to impress upon them the character of intervention.[3]

---

[1]All these reservations, except that of Turkey, were maintained at ratification.

[2]Declaration of Mr. Beldiman. *Procès-verbaux,* pt. iv, p. 48.

[3]Declaration of Mr. Miyatovitch. *Procès-verbaux,* pt. iv, p. 47.

## CONVENTION I (Continued)

**Turkey.** Under reservation of the declaration made in the plenary sitting of the Conference of July 25, 1899.

*Extract from the procès-verbal:*

The Turkish delegation, considering that the work of this Conference has been a work of high loyalty and humanity, destined solely to assure general peace by safeguarding the interests and the rights of each one, declares, in the name of its Government, that it adheres to the project just adopted, on the following conditions:

1. It is formally understood that recourse to good offices and mediation, to commissions of inquiry and arbitration is purely facultative and could not in any case assume an obligatory character or degenerate into intervention;

2. The Imperial Government itself will be the judge of the cases where its interests would permit it to admit these methods without its abstention or refusal to have recourse to them being considered by the signatory States as an unfriendly act.

It goes without saying that in no case could the means in question be applied to questions concerning interior regulation.[1]

**United States.** Under reservation of the declaration made at the plenary sitting of the Conference on the 25th of July, 1899.

*Extract from the procès-verbal:*

The delegation of the United States of America on signing the Convention for the pacific settlement of international disputes, as proposed by the International Peace Conference, makes the following declaration:

Nothing contained in this Convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions or policy or internal administration of any foreign State; nor shall anything contained in the said Convention be construed to imply a relinquishment by the United States of America of its traditional attitude toward purely American questions.[2]

## CONVENTION III

**Germany, Great Britain, Turkey and United States** signed with reservation of Article 10. It was subsequently agreed, on an understanding reached by the Government of the Netherlands with the signatory Powers, to exclude Article 10 from all ratifications of the Convention.[3]

---

[1]Declaration of Turkhan Pasha. *Procès-verbaux*, pt. i. p. 70. This reservation does not appear in the instrument of ratification.

[2]*Procès-verbaux*, pt. i, p. 69. Compare the reservation of the United States to the 1907 Convention I, *post*, p. 242.

[3]U. S. Statutes at Large, vol. 32, p. 1837.

# SUMMARY

OF THE

# SIGNATURES, RATIFICATIONS, ADHESIONS AND RESERVATIONS

TO THE

# CONVENTIONS AND DECLARATIONS OF THE SECOND CONFERENCE

| Abbreviations<br>S—signed.<br>Rat.—ratified.<br>Adh.—adhered.<br>Res.—reservation. | I<br>Convention for the pacific settlement of international disputes | II<br>Convention respecting the limitation of the employment of force for the recovery of contract debts | III<br>Convention relative to the opening of hostilities | IV<br>Convention respecting the laws and customs of war on land | V<br>Convention respecting the rights and duties of neutral Powers and persons in case of war on land | VI<br>Convention relating to the status of enemy merchant ships at the outbreak of hostilities | VII<br>Convention relating to the conversion of merchant ships into warships | VIII<br>Convention relative to the laying of automatic submarine contact mines |
|---|---|---|---|---|---|---|---|---|
| **Argentine Republic** ... | S | S res. | S | S | S res. | S | S | S |
| **Austria-Hungary** ..... | S | S | S | S res. | S | S | S | S |
| Rat. Nov. 27, 1909... | Rat. | Rat. | Rat. | Rat. res. | Rat. | Rat. | Rat. | Rat. |
| **Belgium** ..... | S | ..... | S | S | S | S | S | S |
| Rat. Aug. 8, 1910.... | Rat. | ..... | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |
| **Bolivia** ..... | S | S res. | S | S | S | S | S | S |
| Rat. Nov. 27, 1909.. | Rat. | ..... | Rat. | Rat. | Rat. | ..... | ..... | ..... |
| **Brazil** ..... | S res. | ..... | S | S | S | S | S | S |
| Rat. Jan. 5, 1914... | Rat. res. | ..... | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |
| **Bulgaria** ..... | S | S | S | S | S | S | S | S |
| **Chile** ..... | S res. | S | S | S | S | S | S | S |
| **China** ..... | S | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Rat. Nov. 27, 1909..<br>Adh. Jan. 15, 1910.. | Rat. | Adh. | Adh. | ..... | Adh. | ..... | ..... | ..... |
| **Colombia** ..... | S | S res. | S | S | S | S | S | S |
| **Cuba** ..... | S | S | S | S | S | S | S | S |
| Rat. Feb. 22, 1912.. | Rat. | ..... | ..... | Rat. | Rat. | Rat. | ..... | ..... |
| **Denmark** ..... | S | S | S | S | S | S | S | S |
| Rat. Nov. 27, 1909.. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |
| **Dominican Republic**... | S | S res. | S | S | S | S | ..... | S res. |
| **Ecuador** ..... | S | S res. | S | S | S | S | S | S |
| **France** ..... | S | S | S | S | S | S | S | S res. |
| Rat. Oct. 7, 1910..... | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. res. |
| **Germany** ..... | S | S | S | S res. | S | S res. | S | S res. |
| Rat. Nov. 27, 1909.. | Rat. | Rat. | Rat. | Rat. res. | Rat. | Rat. res. | Rat. | Rat. res. |
| **Great Britain** ..... | S | S | S | S | S res. | S | S | S res. |
| Rat. Nov. 27, 1909.. | ..... | Rat. | Rat. | Rat. | ..... | Rat. | Rat. | Rat. res. |
| **Greece** ..... | S res. | S res. | S | S | S | S | S | S |
| **Guatemala** ..... | S | S res. | S | S | S | S | S | S |
| Rat. Mar. 15, 1911.. | Rat. | Rat. res. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |
| **Haiti** ..... | S | S | S | S | S | S | S | S |
| Rat. Feb. 2, 1910.... | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |
| **Italy** ..... | S | S | S | S | S | S | S | S |
| **Japan** ..... | S res. | S | S | S res. | S | S | S | S |
| Rat. Dec. 13, 1911... | Rat. res. | Rat. | Rat. | Rat. res. | Rat. | Rat. | Rat. | Rat. |
| **Liberia** ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. Feb. 4, 1914.... | ..... | Adh. | Adh. | Adh. | Adh. | Adh. | Adh. | Adh. |
| **Luxemburg** ..... | S | ..... | S | S | S | S | S | S |
| Rat. Sept. 5, 1912.... | Rat. | ..... | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |
| **Mexico** ..... | S | S | S | S | S | S | S | S |
| Rat. Nov. 27, 1909... | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |

| IX Convention concerning bombardment by naval forces in time of war | X Convention for the adaptation to maritime warfare of the principles of the Geneva Convention | XI Convention relative to certain restrictions with regard to the exercise of the right of capture in naval war | XII Convention relative to the creation of an International Prize Court | XIII Convention concerning the rights and duties of neutral Powers in naval war | XIV Declaration prohibiting the discharge of projectiles and explosives from balloons | Final Act | Protocol of September 19, 1910, additional to Hague Convention XII on an International Prize Court | |
|---|---|---|---|---|---|---|---|---|
| S | S | S | S | S | S | S | S | **Argentine Republic** |
| S | S | S | S | S | S | S | S | **Austria-Hungary** |
| Rat. | Rat. | Rat. | ..... | Rat. | ..... | ..... | ..... | |
| S | S | S | S | S | S | S | S | **Belgium** |
| Rat. | Rat. | Rat. | ..... | Rat. | Rat. | ..... | ..... | |
| S | S | S | S | S | S | S | S | **Bolivia** |
| Rat. | Rat. | ..... | ..... | ..... | Rat. | ..... | ..... | |
| S | S | S | ..... | S | S | S | ..... | **Brazil** |
| Rat. | Rat. | Rat. | ..... | Rat. | Rat. | ..... | ..... | |
| S | S | S | S | S | S | S | S | **Bulgaria** |
| S res. | S | S | S res. | S | ..... | S | S | **Chile** |
| ..... | S res. | ..... | ..... | ..... | S | S | ..... .. | **China** |
| Adh. | Rat. res. | ..... | ..... | Adh. res. | Rat | ..... | ..... | |
| S | S | S | S | S | S | S | S | **Colombia** |
| S | S | S | S res. | ..... | S | S | S | **Cuba** |
| Rat. | Rat. | ..... | ..... | ..... | ..... | ..... | ..... | |
| S | S | S | S | S | ..... | S | S | **Denmark** |
| Rat. | Rat. | Rat. | ..... | Rat. | ..... | ..... | ..... | |
| S | S | S | ..... | S res. | S | S | ..... | **Dominican Republic** |
| S | S | S | S res. | S | S | S | S | **Ecuador** |
| S res. | S | S | S | S | ..... | S | S | **France** |
| Rat. res. | Rat. | Rat. | ..... | Rat. | ..... | ..... | ..... | |
| S res. | S | S | S | S res. | ..... | S | S | **Germany** |
| Rat. res. | Rat. | Rat. | ..... | Rat. res. | ..... | ..... | ..... | |
| S res. | S res. | S | S | S res. | S | S | S | **Great Britain** |
| Rat. res. | ..... | Rat. | ..... | ..... | Rat. | ..... | ..... | |
| S | S | S | ..... | S | S | S | ..... | **Greece** |
| S | S | S | S res. | S | ..... | S | S | **Guatemala** |
| Rat. | Rat. | Rat. | ..... | Rat. | ..... | ..... | ..... | |
| S | S | S | S res. | S | S | S | S | **Haiti** |
| Rat. | Rat. | Rat. | ..... | Rat. | Rat. | ..... | ..... | |
| S | S | S | S | S | ..... | S | S | **Italy** |
| S res. | S | S | S | S res. | ..... | S | S | **Japan** |
| Rat. res. | Rat. | Rat. | ..... | Rat. res. | ..... | ..... | ..... | |
| ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... | **Liberia** |
| Adh. | ..... | Adh. | ..... | Adh. | Adh. | ..... | ..... | |
| S | S | S | ..... | S | S | S | ..... | **Luxemburg** |
| Rat. | Rat. | Rat. | ..... | Rat. | Rat. | ..... | ..... | |
| S | S | S | S | S | ..... | S | S | **Mexico** |
| Rat. | Rat. | Rat. | ..... | Rat. | ..... | ..... | ..... | |

| Abbreviations<br>S—Signed<br>Rat.—ratified.<br>Adh.—adhered.<br>Res.—reservation. | I<br>Convention for the pacific settlement of international disputes | II<br>Convention respecting the limitation of the employment of force for the recovery of contract debts | III<br>Convention relative to the opening of hostilities | IV<br>Convention respecting the laws and customs of war on land | V<br>Convention respecting the rights and duties of neutral Powers and persons in case of war on land | VI<br>Convention relating to the status of enemy merchant ships at the outbreak of hostilities | VII<br>Convention relating to the conversion of merchant ships into warships | VIII<br>Convention relative to the laying of automatic submarine contact mines |
|---|---|---|---|---|---|---|---|---|
| **Montenegro** | S | S | S | S res. | S | S | S | ..... |
| **Netherlands** | S | S | S | S | S | S | S | S |
| Rat. Nov. 27, 1909 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |
| **Nicaragua** | ..... | ..... | ..... | ..... | ..... | ..... | ..... | ..... |
| Adh. Dec. 16, 1909 | Adh. | Adh. res. | Adh. | Adh. | Adh. | Adh. | Adh. | Adh. |
| **Norway** | S | S | S | S | S | S | S | S |
| Rat. Sept. 19, 1910 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |
| **Panama** | S | S | S | S | S | S | S | S |
| Rat. Sept. 11, 1911 | Rat | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat |
| **Paraguay** | S | S | S | S | S | S | S | S |
| **Persia** | S | S | S | S | S | S | S | S |
| **Peru** | S | S res. | S | S | S | S | S | S |
| **Portugal** | S | S | S | S | S | S | S | ..... |
| Rat. April 13, 1911 | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Roumania** | S res. | ..... | S | S | S | S | S | S |
| Rat. Mar. 1, 1912 | Rat. res. | ..... | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |
| **Russia** | S | S | S | S res. | S | S res. | S | ..... |
| Rat. Nov. 27, 1909 | Rat. | Rat. | Rat. | Rat. res. | Rat. | Rat. res. | Rat. | ..... |
| **Salvador** | S | S res. | S | S | S | S | S | S |
| Rat. Nov. 27, 1909 | Rat. | Rat. res. | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |
| **Serbia** | S | S | S | S | S | S | S | S |
| **Siam** | S | ..... | S | S | S | S | S | S res. |
| Rat. Mar. 12, 1910 | Rat. | ..... | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. res. |
| **Spain** | S | S | S | ..... | S | S | S | ..... |
| Rat. Mar. 18, 1913<br>Adh. Feb. 24, 1913. | Rat. | Rat. | Rat. | ..... | Rat. | Rat. | Rat. | ..... |
| **Sweden** | S | ..... | S | S | S | S | S | ..... |
| Rat. Nov. 27, 1909; and July 13, 1911, as regards Convention X. | Rat. | ..... | Rat. | Rat. | Rat. | Rat. | Rat. | ..... |
| **Switzerland** | S res. | ..... | S | S | S | S | S | S |
| Rat. May 12, 1910 | Rat. res. | ..... | Rat. | Rat. | Rat. | Rat. | Rat. | Rat. |
| **Turkey** | S res. | S | S | S res. | S | S | S res. | S res. |
| **United States** | S res. | S | S | S | S | ..... | ..... | S |
| Rat. Nov. 27, 1909; Adh. Dec. 3, 1909. | Rat. res. | Rat. res. | Rat. | Rat. | Rat. | ..... | ..... | Rat. |
| **Uruguay** | S | S res. | S | S | S | S | ..... | S |
| **Venezuela** | S | ..... | S | S | S | S | S | S |

| IX Convention concerning bombardment by naval forces in time of war | X Convention for the adaptation to maritime warfare of the principles of the Geneva Convention | XI Convention relative to certain restrictions with regard to the exercise of the right of capture in naval war | XII Convention relative to the creation of an International Prize Court | XIII Convention concerning the rights and duties of neutral Powers in naval war | XIV Declaration prohibiting the discharge of projectiles and explosives from balloons | Final Act | Protocol of September 19, 1910 additional to Hague Convention XII on an International Prize Court | |
|---|---|---|---|---|---|---|---|---|
| S | S | ..... | ..... | S | ..... | S | ..... | **Montenegro** |
| S | S | S | S | S | S | S | S | **Netherlands** |
| Rat. | Rat. | Rat. | ..... | Rat. | Rat. ... | ..... | ..... | |
| ..... | ..... | ..... | ..... | ..... | ..... | S | ..... | **Nicaragua** |
| Adh. | Adh. | Adh. | ..... | Adh. | Adh. | ..... | ..... | |
| S | S | S | S | S | S | S | S | **Norway** |
| Rat. | Rat. | Rat. | ..... | Rat. | Rat. | ..... | ..... | |
| S | S | S | S | S | S | S | S | **Panama** |
| Rat. | Rat. | Rat. | ..... | Rat. | Rat. | ..... | .. ..... | |
| S | S | S | S | S | ..... | ..... | S | **Paraguay** |
| S | S res. | S | S res. | S res. | S | S | S | **Persia** |
| S | S | S | S | S | S | S | S | **Peru** |
| S | S | S | S | S | S | S | S | **Portugal** |
| Rat. | Rat. | Rat. | ..... | Rat. | Rat. | ..... | ..... | |
| S | S | S | ..... | S | ..... | S | ..... | **Roumania** |
| Rat. | Rat. | Rat. | ..... | Rat. | ..... | ..... | ..... | |
| S | S | ..... | ..... | S | ..... | S | ..... | **Russia** |
| Rat. | Rat. | ..... | ..... | Rat. | ..... | ..... | ..... | |
| S | S | S | S res. | S | S | S | S | **Salvador** |
| Rat. | Rat. | Rat. | ..... | Rat. | Rat. | ..... | ..... | |
| S | S | S | ..... | S | ..... | S | ..... | **Serbia** |
| S | S | S | S res. | S res. | S | S | S | **Siam** |
| Rat. | Rat. | Rat. | ..... | Rat. res. | Rat. | ..... | ..... | |
| ..... | S | S | S | ..... | ..... | S | S | **Spain** |
| Adh. | Rat. | Rat. | ..... | ..... | ..... | ..... | ..... | |
| S | S | S | S | S | ..... | S | S | **Sweden** |
| Rat. | Rat. | Rat. | ..... | Rat. | ..... | ..... | ..... | |
| S | S | S | S | S | S | S res. | S | **Switzerland** |
| Rat. | Rat. | Rat. | ..... | Rat. | Rat. | ..... | ..... | |
| S | S res. | S | S res. | S res. | S | S | S | **Turkey** |
| S | S | S | S | ..... | S | S | S | **United States** |
| Rat. | Rat. | Rat. | ..... | Adh. res. | Rat. | ..... | ..... | |
| S | S | S | S res. | S | S | S | S | **Uruguay** |
| S | S | S | ..... | S | ..... | S | ..... | **Venezuela** |

## RESERVATIONS AT SIGNATURE

### CONVENTION I

**Brazil.** With reservation as to Article 53, paragraphs 2, 3, and 4.

**Chile.** Under reservation of the declaration formulated with regard to Article 39 in the seventh meeting of the First Commission on October 7.

*Extract from the procès-verbal:*

The delegation of Chile desires to make the following declaration in the name of its Government with respect to this article. Our delegation at the time of signing the Convention of 1899 for the pacific settlement of international disputes did so with the reservation that the adhesion of its Government as regards Article 17 would not include controversies or questions prior to the celebration of the Convention.

The delegation of Chile believes it to be its duty to-day to renew, with respect to the same provision, the reservation that it has previously made, although it may not be strictly necessary in view of the similar character of the provision.[1]

**Greece.** With the reservation of paragraph 2 of Article 53.

**Japan.** With reservation of paragraphs 3 and 4 of Article 48, of paragraph 2 of Article 53, and of Article 54.

**Roumania.** With the same reservations formulated by the Roumanian plenipotentiaries on signing the Convention for the pacific settlement of international disputes of July 29, 1899.[2]

**Switzerland.** Under reservation of Article 53, number 2.

**Turkey.** Under reservation of the declarations recorded in the *procès-verbal* of the ninth plenary session of the Conference held on October 16, 1907. (Continued, p. 242.)

---

[1] Statement of Mr. Domingo Gana. *Actes et documents*, vol. ii, p. 121.
[2] See *ante*, p. 233.

## RESERVATIONS AT RATIFICATION

### CONVENTION I

**Brazil.** Reservation maintained in the act of ratification.

**Chile.** [Not yet ratified.]

**Greece.** [Not yet ratified.]

**Japan.** Reservation maintained in the act of ratification.

**Roumania.** Reservations maintained in the act of ratification.

**Switzerland.** Reservation maintained in the act of ratification.

**Turkey.** [Not yet ratified.]

## RESERVATIONS AT SIGNATURE

### CONVENTION I (Continued)

**Turkey** (Continued from p. 240)

*Extract from the procès-verbal:*

The Ottoman delegation declares, in the name of its Government, that while it is not unmindful of the beneficent influence which good offices, mediation, commissions of inquiry, and arbitration are able to exercise on the maintenance of the pacific relations between States, in giving its adhesion to the whole of the draft, it does so on the understanding that such methods remain, as before, purely optional; it could in no case recognize them as having an obligatory character rendering them susceptible of leading directly or indirectly to an intervention.

The Imperial Government proposes to remain the sole judge of the occasions when it shall be necessary to have recourse to the different proceedings or to accept them without its determination on the point being liable to be viewed by the signatory States as an unfriendly act.

It is unnecessary to add that such methods should never be applied in cases of internal order.[1]

**United States.** Under reservation of the declaration made in the plenary session of the Conference held on October 16, 1907.

*Extract from the procès-verbal:*

The delegation of the United States renews the reservation made in 1899 on the subject of Article 48 of the Convention for the pacific settlement of international disputes in the form of the following declaration:

Nothing contained in this Convention shall be so construed as to require the United States of America to depart from its traditional policy of not intruding upon, interfering with, or entangling itself in the political questions of policy or internal administration of any foreign State; nor shall anything contained in the said Convention be construed to imply a relinquishment by the United States of its traditional attitude toward purely American questions.[2]

### CONVENTION II

**Argentine Republic.** The Argentine Republic makes the following reservations:

1. With regard to debts arising from ordinary contracts between the citizen or subject of a nation and a foreign Government, recourse

(Continued, p. 244.)

[1]Statements of Turkhan Pasha. *Actes et documents*, vol. i, p. 336.
[2]Statement of Mr. David Jayne Hill. *Actes et documents*, vol. i, p. 335.

## RESERVATIONS AT RATIFICATION

### CONVENTION I (Continued)

**United States.** Reservation maintained in the act of ratification, which contains, besides, the following reservation:

> That the United States approves this Convention with the understanding that recourse to the Permanent Court for the settlement of differences can be had only by agreement thereto through general or special treaties of arbitration heretofore or hereafter concluded between the parties in dispute; and the United States now exercises the option contained in Article 53 of said Convention, to exclude the formulation of the *compromis* by the Permanent Court, and hereby excludes from the competence of the Permanent Court the power to frame the *compromis* required by general or special treaties of arbitration concluded or hereafter to be concluded by the United States, and further expressly declares that the *compromis* required by any treaty of arbitration to which the United States may be a party shall be settled only by agreement between the contracting parties, unless such treaty shall expressly provide otherwise.

### CONVENTION II

**Argentine Republic.** [Not yet ratified.]

## RESERVATIONS AT SIGNATURE

### CONVENTION II (Continued)

**Argentine Republic** (Continued from p. 242)

shall not be had to arbitration except in the specific case of denial of justice by the courts of the country which made the contract, the remedies before which courts must first have been exhausted.

2. Public loans, secured by bond issues and constituting the national debt, shall in no case give rise to military aggression or the material occupation of the soil of American nations.

**Bolivia.** Under the reservation stated to the First Commission.

*Extract from the procès-verbal:*

It seems to me, therefore, that the acceptance of the proposition before us will but mean the legitimation by the *Peace* Conference of a certain class of *wars*, or at least interventions based on disputes which relate neither to the honor nor vital interests of the creditor States.

In consequence of these forceful reasons, the delegation of Bolivia regrets not to give its entire assent to the proposition under discussion.[1]

**Colombia.** Colombia makes the following reservations:

It does not agree to the employment of force in any case for the recovery of debts, whatever be their nature. It accepts arbitration only after a final decision has been rendered by the courts of the debtor nations.

**Dominican Republic.** With the reservation made at the plenary session of October 16, 1907.

*Extract from the procès-verbal:*

The delegation of the Dominican Republic confirms its favorable vote on the proposal of the delegation of the United States relative to the limitation of the employment of force for the recovery of contract debts; but it renews its reservation as to the condition contained in this part of the clause: "or after accepting the offer, prevents any *compromis* from being agreed on," as its interpretation might lead to excessive consequences which would be the more regrettable as they are provided for and avoided in the plan of Article 53 of the new Convention for the pacific settlement of international disputes.[2]

**Ecuador.** With the reservations made at the plenary session of October 16, 1907.

*Extract from the procès-verbal:*

The delegation of Ecuador will vote affirmatively while maintaining the reservations made in the First Commission.[3]

---

[1]Statement of Mr. Claudio Pinilla. *Actes et documents*, vol. ii, p. 142.
[2]Statement of Mr. Apolinar Tejera. *Actes et documents*, vol. i, p. 337.
[3]Statement of Mr. Dorn y de Alsúa. *Actes et documents*, vol. i, p. 338.

## RESERVATIONS AT RATIFICATION

### CONVENTION II (Continued)

**Bolivia.** [Not yet ratified.]

**Colombia.** [Not yet ratified.]

**Dominican Republic.** [Not yet ratified.]

**Ecuador.** [Not yet ratified.]

## RESERVATIONS AT SIGNATURE

### CONVENTION II (Continued)

**Greece.** With the reservation made at the plenary session of October 16, 1907.

*Extract from the procès-verbal:*

In the eighth meeting of the First Commission the Greek delegation, being without definite instructions, was obliged to reserve its vote on the subject of the proposition of the United States of America on the treatment of contract debts. We are to-day in a position to declare that the Royal Government accepts the said proposition, which has for its aim the doing away, by peaceful means, of differences between nations and the exclusion, conformably to the principles of international law, of the employment of armed force outside of armed conflicts. We consider, at the same time, that the provisions contained in paragraphs 2 and 3 of the text voted can not affect existing stipulations nor laws in force in the realm.[1]

**Guatemala.** 1. With regard to debts arising from ordinary contracts between the citizens or subjects of a nation and a foreign Government, recourse shall be had to arbitration only in case of denial of justice by the courts of the country which made the contract, the remedies before which courts must first have been exhausted.

2. Public loans secured by bond issues and constituting national debts shall in no case give rise to military aggression or the material occupation of the soil of American nations.

**Nicaragua.** [Not a signatory Power.]

---

[1]Statement of Mr. Rangabé. *Actes et documents*, vol. i, p. 336.

## RESERVATIONS AT RATIFICATION

### CONVENTION II (Continued)

**Greece.** [Not yet ratified.]

**Guatemala.** 1. Reservation maintained in the act of ratification.

2. Reservation maintained in the act of ratification.

**Nicaragua.** The act of adhesion contains the following reservations:

(a) With regard to debts arising from ordinary contracts between the citizen or subject of a nation and a foreign Government, recourse shall be had to arbitration only in the specific case of a denial of justice by the courts of the country where the contract was made, the remedies before which courts must first have been exhausted.

(b) Public loans secured by bond issues and constituting the national debt shall in no case give rise to military aggression or the material occupation of the soil of American nations.

## RESERVATIONS AT SIGNATURE

### CONVENTION II (Continued)

**Peru.** Under the reservation that the principles laid down in this Convention shall not be applicable to claims or differences arising from contracts concluded by a country with foreign subjects when it has been expressly stipulated in these contracts that the claims or differences must be submitted to the judges or courts of the country.

**Salvador.** We make the same reservations as the Argentine Republic above.[1]

**United States.** [Signed without reservation.]

**Uruguay.** Under reservation of the second paragraph of Article 1, because the delegation considers that arbitration may always be refused as a matter of right if the fundamental law of the debtor nation, prior to the contract which has given rise to the doubts or disputes, or this contract itself, has stipulated that such doubts or disputes shall be settled by the courts of the said nation.

### CONVENTION IV

**Austria-Hungary.** Under reservation of the declaration made in the plenary session of the Conference of August 17, 1907.

*Extract from the procès-verbal:*

The delegation of Austria-Hungary having accepted the new Article 22*a*, on condition that Article 44 of the Convention now in force be maintained as it is, can not consent to the Article 44*a*, proposed by the Second Commission.[2]

---

[1] *Ante*, p. 242.

[2] Statement of Mr. Mérey von Kapos-Mére. *Actes et documents*, vol. i, p. 86.

## RESERVATIONS AT RATIFICATION

### CONVENTION II (Continued)

**Peru.** [Not yet ratified.]

**Salvador.** Reservations maintained in the act of ratification.

**United States.** The act of ratification contains the following reservation:

> That the United States approves this Convention with the understanding that recourse to the Permanent Court for the settlement of the differences referred to in said Convention can be had only by agreement thereto through general or special treaties of arbitration heretofore or hereafter concluded between the parties in dispute.

**Uruguay.** [Not yet ratified.]

### CONVENTION IV

**Austria-Hungary.** Reservation maintained in the *procès-verbal* of deposit of ratifications.

## RESERVATIONS AT SIGNATURE

### CONVENTION IV (Continued)

**Germany.** Under reservation of Article 44 of the annexed Regulations.

**Japan.** With reservation of Article 44.

**Montenegro.** Under the reservations formulated as to Article 44 of the Regulations annexed to the present Convention and contained in the minutes of the fourth plenary session of August 17, 1907.

*Extract from the procès-verbal:*

The delegation of Montenegro has the honor to declare that having accepted the new Article *22a*, proposed by the delegation of Germany, in the place of Article 44 of the existing Regulations of 1899, it makes reservations on the subject of the new wording of the said Article *44a*.[1]

**Russia.** Under the reservations formulated as to Article 44 of the Regulations annexed to the present Convention and contained in the minutes of the fourth plenary session of August 17, 1907.

*Extract from the procès-verbal:*

The delegation of Russia has the honor to declare that having accepted the new Article *22a*, proposed by the delegation of Germany, in the place of Article 44 of the existing Regulations of 1899, it makes reservations on the subject of the new wording of the said Article *44a*.[2]

**Turkey.** Under reservation of Article 3.

### CONVENTION V

**Argentine Republic.** The Argentine Republic makes reservation of Article 19.

**Great Britain.** Under reservation of Articles 16, 17 and 18

---

[1]Statement of Mr. Tcharykow. *Actes et documents*, vol. i, p. 86.
[2]Statement of Mr. Martens. *Actes et documents*, vol. i, p. 86.

## RESERVATIONS AT RATIFICATION

### CONVENTION IV (Continued)

**Germany.** Reservation maintained in the act of ratification.

**Japan.** Reservation maintained in the act of ratification.

**Montenegro.** [Not yet ratified.]

**Russia.** Reservations maintained in the act of ratification.

**Turkey.** [Not yet ratified.]

### CONVENTION V

**Argentine Republic.** [Not yet ratified.]

**Great Britain.** [Not yet ratified.]

## RESERVATIONS AT SIGNATURE

### CONVENTION VI

**Germany.** Under reservation of Article 3 and of Article 4, paragraph 2.[1]

**Russia.** Under the reservations made as to Article 3 and Article 4, paragraph 2, of the present Convention, and recorded in the minutes of the seventh plenary session of September 27, 1907.[1]

### CONVENTION VII

**Turkey.** Under reservation of the declaration made at the eighth plenary session of the Conference of October 9, 1907.

*Extract from the procès-verbal:*

The Imperial Ottoman Government does not engage to recognize as vessels of war, ships which, being in its waters or on the high seas under a merchant flag, are converted on the opening of hostilities.[2]

### CONVENTION VIII

**Dominican Republic.** With reservation as to the first paragraph of Article 1.

**France.** Under reservation of Article 2.

**Germany.** Under reservation of Article 2.

**Great Britain.** Under reservation of the following declaration:

In affixing their signatures to the above Convention the British plenipotentiaries declare that the mere fact that this Convention does not prohibit a particular act or proceeding must not be held to debar His Britannic Majesty's Government from contesting its legitimacy.

---

[1]The German and Russian delegations considered that these provisions established an inequality between States in imposing financial burdens on those Powers which, lacking naval stations in different parts of the world, are not in a position to take vessels which they have seized into a port, but find themselves compelled to destroy them. *Actes et documents,* vol. i, p. 236; vol. iii, p. 918.

[2]*Actes et documents,* vol. i, p. 277.

## RESERVATIONS AT RATIFICATION

### CONVENTION VI

**Germany.** Reservation maintained in the act of ratification.

**Russia.** Reservations maintained in the act of ratification.

### CONVENTION VII

**Turkey.** [Not yet ratified.]

### CONVENTION VIII

**Dominican Republic.** [Not yet ratified.]

**France.** Reservation maintained in the act of ratification.

**Germany.** Reservation maintained in the act of ratification.

**Great Britain** Reservation maintained in the act of ratification.

## RESERVATIONS AT SIGNATURE

### CONVENTION VIII (Continued)

**Siam.** Under reservation of Article 1, paragraph 1.

**Turkey.** Under reservation of the declarations recorded in the *procès-verbal* of the eighth plenary session of the Conference held on October 9, 1907.

*Extract from the procès-verbal:*

The Imperial Ottoman delegation can not at the present time undertake any engagement whatever for perfected systems which are not yet universally known. * * * The Imperial Ottoman delegation believes that it should declare that, given the exceptional situation created by treaties in force of the straits of the Dardanelles and the Bosphorus, straits which are an integral part of the territory, the Imperial Government could not in any way subscribe to any undertaking tending to limit the means of defense that it may deem necessary to employ for these straits in case of war or with the aim of causing its neutrality to be respected. * * * The Imperial Ottoman delegation can not at the present time take part in any engagement as regards the conversion mentioned in Article 6.[1]

### CONVENTION IX

**Chile.** Under the reservation of Article 3 made at the fourth plenary session of August 17.

*Extract from the procès-verbal:*

The delegation of Chile makes reservation as to Article 3.[2]

**France.** Under reservation of the second paragraph of Article 1.

**Germany.** Under reservation of Article 1, paragraph 2.

**Great Britain.** Under reservation of the second paragraph of Article 1.

**Japan.** With reservation of paragraph 2 of Article 1.

### CONVENTION X

**China.** Under reservation of Article 21.

---

[1]Statement of Turkhan Pasha. *Actes et documents*, vol. i, p. 280.
[2]Statement of Mr. Domingo Gana. *Actes et documents*, vol. i, p. 90.

## RESERVATIONS AT RATIFICATION

### CONVENTION VIII (Continued)

**Siam.** Reservation maintained in the act of ratification.

**Turkey.** [Not yet ratified.]

### CONVENTION IX

**Chile.** [Not yet ratified.]

**France.** Reservation maintained in the act of ratification.

**Germany.** Reservation maintained in the act of ratification.

**Great Britain.** Reservation maintained in the act of ratification.

**Japan.** Reservation maintained in the action of ratification.

### CONVENTION X

**China.** Reservation maintained in the act of ratification.

## RESERVATIONS AT SIGNATURE

### CONVENTION X (Continued)

**Great Britain.** Under reservation of Articles 6 and 21 and of the following declaration:

> In affixing their signatures to the above Convention, the British plenipotentiaries declare that His Majesty's Government understand Article 12 to apply only to the case of combatants rescued during or after a naval engagement in which they have taken part.

**Persia.** Under reservation of the right, admitted by the Conference, to use the Lion and Red Sun instead of and in the place of the Red Cross.

**Turkey.** Under reservation of the right admitted by the Peace Conference to use the Red Crescent.

### CONVENTION XII

**Chile.** Under the reservation of Article 15 made at the sixth plenary session of September 21.

**Cuba.** Under reservation of Article 15.

**Ecuador.** Under reservation of Article 15.

**Guatemala.** Under the reservations made concerning Article 15.

**Haiti.** With reservation regarding Article 15.

**Persia.** Under reservation of Article 15.

**Salvador.** Under reservation of Article 15.

**Siam.** Under reservation of Article 15.

**Turkey.** Under reservation of Article 15.

**Uruguay.** Under reservation of Article 15.

## RESERVATIONS AT RATIFICATION

### CONVENTION X (Continued)

**Great Britain.** [Not yet ratified.]

**Persia.** [Not yet ratified.]

**Turkey.** [Not yet ratified.]

### CONVENTION XII

**Chile.** [Not yet ratified.]

**Cuba.** [Not yet ratified.

**Ecuador.** [Not yet ratified.]

**Guatemala.** [Not yet ratified.]

**Haiti.** [Not yet ratified.]

**Persia.** [Not yet ratified.]

**Salvador.** [Not yet ratified.]

**Siam.** [Not yet ratified.]

**Turkey.** [Not yet ratified.]

**Uruguay.** [Not yet ratified.]

## RESERVATIONS AT SIGNATURE

### CONVENTION XIII

**China.** [Not a signatory Power.]

**Dominican Republic.** With reservation regarding Article 12.

**Germany.** Under reservation of Articles 11, 12, 13 and 20.

**Great Britain.** Under reservation of Articles 19 and 23.

**Japan.** With reservation of Articles 19 and 23.

**Persia.** Under reservation of Articles 12, 19, and 21.

**Siam.** Under reservation of Articles 12, 19 and 23.

**Turkey.** Under reservation of the declaration concerning Article 10 contained in the *procès-verbal* of the eighth plenary session of the Conference held on October 9, 1907.

*Extract from the procès-verbal:*

The Ottoman delegation declares that the straits of the Dardanelles and the Bosphorus can not in any case be referred to by Article 10. The Imperial Government could undertake no engagement whatever tending to limit its undoubted rights over these straits.[1]

**United States.** [Not a signatory Power.]

### FINAL ACT[2]

**Switzerland.** Under reservation of *Vœu* No. 1, which the Swiss Federal Council does not accept.

---

[1]Statement of Turkhan Pasha. *Actes et documents,* vol. i, p. 285.

[2]The Final Act, being a summary of the proceedings of the Conference, is not a conventional agreement and accordingly is not ratified.

## RESERVATIONS AT RATIFICATION

### CONVENTION XIII

**China.** Adhesion with reservation of paragraph 2 of Article 14, paragraph 3 of Article 19, and of Article 27.

**Dominican Republic.** [Not yet ratified.]

**Germany.** Reservation maintained in the act of ratification.

**Great Britain.** [Not yet ratified.]

**Japan.** Reservation maintained in the act of ratification.

**Persia.** [Not yet ratified.]

**Siam.** Reservation maintained in the act of ratification.

**Turkey.** [Not yet ratified.]

**United States.** The act of adhesion contains the following reservation:

> That the United States adheres to the said Convention, subject to the reservation and exclusion of its Article 23 and with the understanding that the last clause of Article 3 thereof implies the duty of a neutral Power to make the demand therein mentioned for the return of a ship captured within the neutral jurisdiction and no longer within that jurisdiction.

# INDEX OF PERSONS


Page

**Abdullah Pasha, General,** delegate of Turkey to first conference..... 24
**Ahmed Khan Sadig ul Mulk,** delegate of Persia to second conference..... 19
as plenipotentiary of Persia, signed 1910 additional protocol ..... 205
**Akiyama, Major General Yoshifuru,** delegate of Japan to second conference..... 15
**Alvarez Calderón, Manuel,** as plenipotentiary of Peru, signed 1910 additional protocol ..... 205
**Amourel, General,** delegate of France to second conference ..... 11
**Arago, Rear-Admiral,** delegate of France to second conference ..... 11
**Arce, Francisco de,** as plenipotentiary of Guatemala, signed 1910 additional protocol ..... 205
**Ardagh, Sir John Charles,** delegate of Great Britain to first conference..... 12
**Ariga, Nagao,** delegate of Japan to first conference..... 15
**Aristarchi Bey,** as plenipotentiary of Turkey, signed 1910 additional protocol.... 206
**Asser, Tobias Michael Carel,** delegate of Netherlands to first and second conferences ..... 18, 17
**Baguer, Arturo de,** delegate of Spain to first conference..... 10
**Barantzew, Count,** delegate of Russia to first conference..... 21
**Barbosa, Ruy,** delegate of Brazil to second conference ..... 6
**Barra, Francisco León de la,** delegate of Mexico to second conference..... 16
**Basily, A.,** delegate of Russia to first conference ..... 21
**Batlle y Ordoñez, José,** delegate of Uruguay to second conference..... 24
**Beaufort, Willem Hendrik de,** delegate of Netherlands to second conference..... 17
**Beer Poortugael, Jacobus Catharinus Cornelis den,** delegate of the Netherlands to first and second conferences ..... 17, 18
**Beernaert, Auguste,** delegate of Belgium to first and second conferences ..... 5
**Behr, Captain F.,** delegate of Russia to second conference..... 21
**Beldiman, Alexandre,** delegate of Roumania to first and second conferences..... 20
**Bhüvanarth Narübal, Captain Luang,** delegate of Siam to second conference..... 22
**Bianco, Chevalier Auguste,** delegate of Italy to first conference..... 14
**Bihourd, Georges,** delegate of France to first conference..... 11
**Bildt, Baron Carl Nils Daniel,** delegate of Sweden and Norway to first conference. 23
**Bille, Fr. E.,** delegate of Denmark to first conference ..... 9
**Borel, Colonel Eugène,** delegate of Switzerland to second conference ..... 23
**Bourgeois, Léon,** delegate of France to first and second conferences..... 10
**Brändström, P. H. E.,** delegate of Sweden to first conference ..... 23
**Brun, Constantin,** delegate of Denmark to second conference ..... 9
**Buchanan, Sir George William,** as plenipotentiary of Great Britain, signed 1910 additional protocol ..... 205
**Buchanan, William I.,** delegate of United States to second conference..... 3
**Buquet, Colonel Sebastian,** delegate of Uruguay to second conference..... 24
**Bustamante y Sirven, Antonio Sánchez de,** delegate of Cuba to second conference 9
**Butler, Charles Henry,** delegate of United States to second conference ..... 3
**Campa, Miguel Angel,** as plenipotentiary of Cuba, signed 1910 additional protocol 204
**Candamo, Carlos G.,** delegate of Peru to second conference ..... 19
**Carlin, Gaston,** delegate of Switzerland to second conference..... 23
as plenipotentiary of Switzerland, signed 1910 additional protocol..... 205
**Castenskjold, Johan Wilhelm Grevenkop,** as plenipotentiary of Denmark, signed 1910 additional protocol ..... 204
**Castiglia, Captain François,** delegate of Italy to second conference..... 14
**Castilho, Captain Augusto de,** delegate of Portugal to first conference..... 20
**Castro, Juan Pedro,** delegate of Uruguay to second conference ..... 24

Page

**Chacón, Captain Francisco,** delegate of Spain to second conference..... 10
**Chang Ching-tong,** delegate of China to second conference..... 8
**Chao Hi-chiu,** delegate of China to second conference ..... 8
**Chatidej Udom, Major General Mom,** delegate of Siam to second conference..... 22
**Choate, Joseph H.,** delegate of United States to second conference ..... 2
**Coanda, Colonel Constantin,** delegate of Roumania to first conference..... 20
**Cockerill, Major George Kynaston,** delegate of Great Britain to second conference 13
**Concha, Cárlos,** delegate of Chile to second conference ..... 7
**Court, Lieutenant Colonel C. à.,** delegate of Great Britain to first conference..... 12
**Crowe, Eyre,** delegate of Great Britain to second conference..... 12
**Crozier, Captain William,** delegate of United States to first conference..... 3
**Dalbémar, Jean Joseph,** delegate of Haiti to second conference..... 13
**Davis, Brigadier General George B.,** delegate of United States to second conference 3
**Delyanni, N. P.,** delegate of Greece to first conference ..... 13
**Denison, Henry Willard,** delegate of Japan to second conference..... 15
**Descamps, Edouard Eugène François, Baron,** delegate of Belgium to first conference ..... 6
**Dimitrieff, Commander S.,** delegate of Bulgaria to second conference..... 7
**Dorn y de Alsúa, Enrique,** delegate of Ecuador to second conference..... 10
**Drago, Luis Maria,** delegate of Argentine Republic to second conference..... 4
**Ehrensvärd, Johan Jacob Albert,** as plenipotentiary of Sweden, signed 1910 additional protocol ..... 205
**Elles, Sir Edmond Roche,** delegate of Great Britain to second conference..... 12
**Esteva, Gonzalo A.,** delegate of Mexico to second conference ..... 15
**Estournelles de Constant, Paul Henri Benjamin, Baron d',** delegate of France to first and second conferences ..... 11
**Eyschen, Paul,** delegate of Luxemburg to first and second conferences..... 15
**Eysinga, Jonkheer W. J. M. van,** delegate of the Netherlands to second conference 18
**Fallon, Baron A.,** as plenipotentiary of Belgium, signed 1910 additional protocol.. 204
**Ferraz, Lieutenant Commander Guilherme Ivens,** delegate of Portugal to second conference ..... 20
**Fisher, Sir John A.,** delegate of Great Britain to first conference ..... 12
**Foster, John Watson,** delegate of China to second conference..... 8
**Fromageot, Henri Auguste,** delegate of France to second conference..... 11
**Fry, Sir Edward,** delegate of Great Britain to second conference..... 12
**Fuente, Gustavo de la,** delegate of Peru to second conference..... 19
**Fusinato, Guido,** delegate of Italy to second conference ..... 14
**Gana, Domingo,** delegate of Chile to second conference..... 7
**Garcia Rosado, Lieutenant Colonel Tomaz Antonio,** delegate of Portugal to second conference ..... 20
**Giesl von Gieslingen, Baron Wladimir,** delegate of Austria-Hungary to second conference ..... 5
**Gil Fortoul, José,** delegate of Venezuela to second conference ..... 24
**Gilinsky, Colonel,** delegate of Russia to first conference..... 21
**Gomez Carillo, Enrique,** delegate of Guatemala to second conference..... 13
**Göppert, Dr.,** delegate of Germany to second conference ..... 2
**Grelle Rogier, Count de,** delegate of Belgium to first conference ..... 6
**Grieg, Joachim,** delegate of Norway to second conference ..... 17
**Gross von Schwarzhoff,** Colonel, delegate of Germany to first conference..... 2
**Grouïtch, General Sava,** delegate of Serbia to second conference..... 22
**Guachalla, Fernando E.,** delegate of Bolivia to second conference ..... 6
**Gudenus, Baron Erwein,** as plenipotentiary of Austria-Hungary, signed 1910 additional protocol ..... 204
**Guesalaga, Alejandro,** as plenipotentiary of Argentine Republic, signed 1910 additional protocol ..... 204
**Guillaume, Jean Jules Gustave Paul, Baron,** delegate of Belgium to second conference ..... 6
**Gündell, Major-General von,** delegate of Germany to second conference..... 2

Page
**Gütiérrez Ponce, Ignacio,** as plenipotentiary of Colombia, signed 1910 additional protocol ..... 204
**Hagerup, George Francis,** delegate of Norway to second conference ..... 17
as plenipotentiary of Norway, signed 1910 additional protocol..... 205
**Hammarskjöld, Knut Hjalmar Leonard,** delegate of Sweden to second conference 23
**Haus, Rear-Admiral Antoine,** delegate of Austria-Hungary to second conference.. 5
**Hayashi, Baron Tadasu,** delegate of Japan to first conference ..... 15
**Hedengren, Colonel David,** delegate of Sweden to second conference ..... 23
**Hellner, Johannes,** delegate of Sweden to second conference..... 23
**Helsmoortel, John,** as plenipotentiary of Salvador, signed 1910 additional protocol 205
**Hennebicq, Léon,** delegate of Persia to second conference ..... 19
**Henriquez i Carvajal, Francisco,** delegate of Dominican Republic to second conference ..... 9
**Hessaptchieff, Major Christo,** delegate of Bulgaria to first conference..... 7
**Heuvel, Jules van den,** delegate of Belgium to second conference..... 6
**Hill, David Jayne,** delegate of United States to second conference ..... 3
**Hjulhammar, Captain C. A. M. de,** delegate of Sweden to first conference..... 23
**Holguín, General Jorge,** delegate of Colombia to second conference ..... 8
**Holls, Frederick W.,** delegate of United States to first conference..... 3
**Ho Yen-cheng,** delegate of China to first conference..... 8
**Hoo Wei-teh,** delegate of China to first conference..... 8
**Howard, Sir Henry,** delegate of Great Britain to first and second conferences..... 12
**Huber, Professor Max,** delegate of Switzerland to second conference..... 23
**Hudicourt, Pierre,** delegate of Haiti to second conference ..... 14
**Hurst, Cecil James Barrington,** delegate of Great Britain to second conference.... 12
**Jiménez, Juan Antonio,** as plenipotentiary of Panama, signed 1910 additional protocol ..... 205
**Karandjouloff, Ivan,** delegate of Bulgaria to second conference..... 7
**Karnebeek, Jonkheer A. P. C. van,** delegate of Netherlands to first conference.... 17
**Karnebeek, Jonkheer Herman Adriaan van,** delegate of Netherlands to second conference ..... 18
**Khuepach zu Reid, Victor von,** delegate of Austria-Hungary to first conference.... 5
**Klint, Commander Gustaf af,** delegate of Sweden to second conference ..... 23
**Konek de Norwall, Emil,** delegate of Austria-Hungary to second conference..... 5
**Konow, W.,** delegate of Norway to first conference ..... 23
**Kriege, Johannes,** delegate of Germany to second conference ..... 1
**Künzli, Colonel Arnold,** delegate of Switzerland to first conference..... 23
**Lacaze, Captain,** delegate of France to second conference ..... 11
**Lammasch, Heinrich,** delegate of Austria-Hungary to first and second conferences 5
**Lange, Christian Lous,** delegate of Norway to second conference..... 17
**Léger, J. N.,** delegate of Haiti to second conference..... 14
**Loeff, J. A.,** delegate of the Netherlands to second conference..... 18
**Lou Tseng-tsiang,** delegate of China to first and second conferences..... 8
**Low, Seth,** delegate of United States to first conference..... 3
**Macchio, Baron Carl von,** delegate of Austria-Hungary to second conference..... 4
**Macedo, Count de,** delegate of Portugal to first conference ..... 19
**Machain, Eusebio,** delegate of Paraguay to second conference..... 17
**Mahan, Captain Alfred T.,** delegate of United States to first conference..... 3
**Marees van Swinderen, Jonkheer Reneke de,** as plenipotentiary of the Netherlands, signed 1910 additional protocol ..... 205
**Marschall von Bieberstein, Baron,** delegate of Germany to second conference..... 1
**Martes, Fedor Fedorovich,** delegate of Montenegro to second conference..... 16
delegate of Russia to first and second conferences ..... 20
**Martín, Captain Juan A.,** delegate of Argentine Republic to second conference.... 4
**Maschine, Colonel,** delegate of Serbia to first conference ..... 22
**Matheu, Pedro J.,** delegate of Salvador to second conference ..... 21
**Matte, Augusto,** delegate of Chile to second conference ..... 7
**Maura y Gamazo, Gabriel,** delegate of Spain to second conference ..... 10

Page
**Mavrocordato, Edgard,** delegate of Roumania to second conference ..... 20
**Medina, Crisanto,** delegate of Nicaragua to second conference ..... 16
**Mehemed Pasha, R.,** delegate of Turkey to first and second conferences..... 24
**Mérey von Kapos-Mére, Gaëtan,** delegate of Austria-Hungary to first and second conferences ..... 5, 4
**Michelson, Colonel,** delegate of Russia to second conference ..... 21
**Mier, A. de,** delegate of Mexico to first conference ..... 15
**Mier, Sebastián B. de,** delegate of Mexico to second conference ..... 16
**Militchevitch, Michel G.,** delegate of Serbia to second conference..... 22
**Milovanovitch, Milovan G.,** delegate of Serbia to second conference..... 22
**Miyatovitch, Chedomille,** delegate of Serbia to first conference ..... 22
**Monceau de Bergendal, Count Georges du,** as plenipotentiary of Paraguay, signed 1910 additional protocol ..... 205
**Montes, General Ismael,** as plenipotentiary of Bolivia, signed 1910 additional protocol ..... 204
**Montojo, J. Jofre,** delegate of Spain to second conference ..... 10
**Motono, Ichiro,** delegate of Japan to first conference ..... 15
**Mounier, General,** delegate of France to first conference ..... 11
**Moura, Tancredo Burlamaqui de,** delegate of Brazil to second conference..... 7
**Müller, Félix von,** as plenipotentiary of Germany, signed 1910 additional protocol.. 204
**Münster, Count,** delegate of Germany to first conference ..... 1
**Nelidow, Alexander,** delegate of Montenegro to second conference ..... 16
delegate of Russia to second conference ..... 20
**Newel, Stanford,** delegate of United States to first conference ..... 3
**Nigra, Count Costantino,** delegate of Italy to first conference ..... 14
**Noury Bey, Mehemed,** delegate of Turkey to first conference..... 24
**Nuvatr, Phya Suriya,** delegate of Siam to first conference..... 22
**Odier, Edouard,** delegate of Switzerland to first conference ..... 23
**Okolicsányi von Okolicsna, Alexander,** delegate of Austria-Hungary to first conference ..... 4
**Olarte, Enrique,** as plenipotentiary of Mexico, signed 1910 additional protocol..... 205
**Oliveira, Alberto d',** delegate of Portugal to second conference..... 20
**Oordt, Lieutenant Colonel H. L. van,** delegate of the Netherlands to second conference ..... 18
**Orelli, Corragioni d',** delegate of Siam to first and second conferences..... 22
**Ornellas, Captain Ayres d',** delegate of Portugal to first conference ..... 20
**Ornellas de Vasconcellos, Agostinho d',** delegate of Portugal to first conference.... 19
**Ottley, Captain Charles Langdale,** delegate of Great Britain to second conference.. 12
**Ovtchinnikow, Colonel,** delegate of Russia to first and second conferences..... 21
**Papiniu, Jean N.,** delegate of Roumania to first conference ..... 20
**Pauncefote, Sir Julian,** delegate of Great Britain to first conference..... 12
**Pellet, Eugène Antoine Marcellin,** delegate of France to second conference..... 11
as plenipotentiary of France, signed 1910 additional protocol..... 205
**Péphau, Rear-Admiral,** delegate of France to first conference..... 11
**Pérez Triana, Santiago,** delegate of Colombia to second conference..... 8
delegate of Salvador to second conference ..... 21
**Pinilla, Claudio,** delegate of Bolivia to second conference ..... 6
**Pompilj, Guido,** delegate of Italy to first and second conferences ..... 14
**Porras, Belisario,** delegate of Panama to second conference ..... 17
**Porter, Horace,** delegate of United States to second conference ..... 3
**Prozor, Maurice,** delegate of Russia to second conference ..... 21
**Puga Borne, Federico,** as plenipotentiary of Chile, signed 1910 additional protocol 204
**Quesada y Aróstegui, Gonzalo de,** delegate of Cuba to second conference..... 9
**Raffalovich, A.,** delegate of Russia to first conference ..... 21
**Rahusen, Eduard Nicholaas,** delegate of Netherlands to first conference..... 18
**Raif Bey,** delegate of Turkey to second conference ..... 24
**Rangabé, Cléon Rizo,** delegate of Greece to second conference..... 13
**Rangel de Sampaio, Carlos,** as plenipotentiary of Portugal, signed 1910 additional protocol ..... 205

Page

**Reay (Donald James Mackay), Lord,** delegate of Great Britain to second conference ..... 12
**Réchid Bey,** delegate of Turkey to second conference ..... 24
**Renault, Louis,** delegate of France to first and second conferences ..... 11
**Rendón, Victor Manuel,** delegate of Ecuador to second conference..... 10
as plenipotentiary of Ecuador, signed 1910 additional protocol ..... 204
**Retzmann, Lieutenant Commander,** delegate of Germany to second conference.... 2
**Reynolds, General Francisco,** delegate of Argentine Republic to second conference 4
**Rica y Calvo, José de la,** delegate of Spain to second conference..... 10
as plenipotentiary of Spain, signed 1910 additional protocol ..... 205
**Riza Khan, General Mirza,** delegate of Persia to first conference ..... 19
**Robilant, General Marius Nicolis de,** delegate of Italy to second conference..... 14
**Rodríguez Larreta, Carlos,** delegate of Argentine Republic to second conference.. 4
**Röell, Jonkheer J. A.,** delegate of the Netherlands to second conference..... 18
**Rolin, Edouard,** delegate of Siam to first conference ..... 22
**Rose, Uriah M.,** delegate of United States to second conference ..... 3
**Roth, Dr. Arnold,** delegate of Switzerland to first conference..... 23
**Sáenz Peña, Roque,** delegate of Argentine Republic to second conference..... 4
**Saïd Bey, Mehemmed,** delegate of Turkey to second conference ..... 24
**Sakamoto, Captain Toshiatsu,** delegate of Japan to first conference ..... 15
**Sallier de la Tour, Count Giuseppe, Duke of Calvello,** as plenipotentiary of Italy, signed 1910 additional protocol ..... 205
**Samad Khan,** delegate of Persia to first and second conferences..... 19
**Sampognaro, Virgilio,** as plenipotentiary of Uruguay, signed 1910 additional protocol ..... 206
**Sanguily, Manuel,** delegate of Cuba to second conference ..... 9
**Santos Lisboa, Eduardo Felix Simoes dos,** delegate of Brazil to second conference 6
**Sapountzakis, Colonel C.,** delegate of Greece to second conference..... 13
**Sato, Aimaro,** delegate of Japan to second conference ..... 15
as plenipotentiary of Japan, signed 1910 additional protocol ..... 205
**Satow, Sir Ernest Mason,** delegate of Great Britain to second conference..... 12
**Scheine, Captain,** delegate of Russia to first conference ..... 21
**Scheller, Rear-Admiral C. F.,** delegate of Denmark to second conference..... 9
**Schnack, J. G. F. von,** delegate of Denmark to first conference..... 9
**Scott, James Brown,** delegate of United States to second conference..... 3
as plenipotentiary of United States, signed 1910 additional protocol..... 204
**Segrave, Commander John Roderick-** delegate of Great Britain to second conference ..... 13
**Selir, Count de,** delegate of Portugal to first and second conferences.....20, 19
**Serrallo, Count de,** delegate of Spain to first conference..... 10
**Shimamura, Rear-Admiral Hayao,** delegate of Japan to second conference..... 15
**Siben, Lieutenant Colonel,** delegate of France to second conference ..... 11
**Siegel, Rear-Admiral,** delegate of Germany to first and second conferences..... 2
**Soltyk, Count Stanislas,** delegate of Austria-Hungary to first conference ..... 5
**Soveral, Marquis de,** delegate of Portugal to second conference ..... 19
**Sperry, Rear-Admiral Charles S.,** delegate of United States to second conference 3
**Staal, Baron,** delegate of Montenegro to first conference ..... 16
delegate of Russia to first conference ..... 20
**Stancioff, Dr. Dimitri I.,** delegate of Bulgaria to first conference..... 7
as plenipotentiary of Bulgaria, signed 1910 additional protocol ..... 204
**Stengel, Baron von,** delegate of Germany to first conference ..... 1
**Streit, Georgios,** delegate of Greece to second conference ..... 13
**Sturdza, Captain Alexandre,** delegate of Roumania to second conference..... 20
**Surie, Lieutenant H. G.,** delegate of the Netherlands to second conference ..... 18
**Sylvain, Georges,** as plenipotentiary of Haiti, signed 1910 additional protocol.... 205
**Szilássy von Szilás und Pilis, Julius,** delegate of Austria-Hungary to second conference ..... 5
**Tadema, Captain A. P.,** delegate of the Netherlands to first conference..... 18

Page

**Tcharykow, N.**, delegate of Montenegro to second conference ..... 16
delegate of Russia to second conference ..... 21
**Tejera, Apolinar**, delegate of the Dominican Republic to second conference ..... 9
**Tetuán, Duque de**, delegate of Spain to first conference ..... 10
**Thaulow, Major-General J. J.**, delegate of Norway to first conference ..... 23
**Tible Machado, José**, delegate of Guatemala to second conference ..... 13
**Ting, Colonel W. S. Y.**, delegate of China to second conference ..... 8
**Tornielli Brusati di Vergano, Count Giuseppe**, delegate of Italy to second conference ..... 14
**Trompowsky Leitão d'Almeida, Colonel Roberto**, delegate of Brazil to second conference ..... 7
**Tsien Sun**, delegate of China to second conference ..... 8
**Tsudzuki, Keiroku**, delegate of Japan to second conference ..... 15
**Turkhan Pasha**, delegate of Turkey to first and second conferences ..... 24
**Uehara, Colonel Yusaku**, delegate of Japan to first conference ..... 15
**Vargas, General Marceliano**, delegate of Colombia to second conference ..... 8
**Bedel, Axel**, delegate of Denmark to second conference ..... 9
**Veljkovitch, Dr. Voislave**, delegate of Serbia to first conference ..... 22
**Villa Urrutia, Wenceslao Ramirez de**, delegate of Spain to first and second conferences ..... 10
**Villers, Count de**, delegate of Luxemburg to first and second conferences ..... 15
**Vinaroff, Major General Vrban**, delegate of Bulgaria to second conference ..... 7
**Visuddha Suriya Sakdi, Phya**, delegate of Siam to first conference ..... 22
**Visutr Kosa, Phya**, as plenipotentiary of Siam, signed 1910 additional protocol .. 205
**Weil, Otto Ritter von**, delegate of Austria-Hungary to second conference ..... 5
**Welsersheimb, Count R. von**, delegate of Austria-Hungary to first conference ..... 4
**White, Andrew D.**, delegate of United States to first conference ..... 2
**Yang Yü**, delegate of China to first conference ..... 8
**Yarde-Buller, Lieutenant Colonel Henry**, delegate of Great Britain to second conference ..... 13
**Yermolow, Major General**, delegate of Russia to second conference ..... 21
**Zannini, Count A.**, delegate of Italy to first conference ..... 14
**Zenil, Jesús**, delegate of Mexico to first conference ..... 16
**Zorn, Dr. Philipp Karl Ludwig**, delegate of Germany to first and second conferences ..... 2
**Zuccari, Chevalier Louis**, delegate of Italy to first conference ..... 14

# INDEX-DIGEST

*Abbreviations*

a....annex (*i. e.*, the Regulations annexed to the 1899 Convention II and 1907 Convention IV).
d....draft convention on a judicial arbitration court, being the annex to the 1907 Final Act.
f.....Final Act.
(m)..modified (appears where articles of a 1907 convention are modified forms of same article in corresponding 1899 convention).
(n)...new (appears where articles are new, though the conventions in which they appear are revised from 1899 conventions).
p....preamble.

The Roman numerals refer to the numbers of the conventions as given in the Final Acts, pp. 25 and 26.

Italics refer to the article numbers of the various conventions.


**Additional protocol to prize court convention** Page
signatory powers ..... 208
text ..... 204
when recourse to international prize court is only in an action for damages, *1* ..... 206
in an action for damages, article 8 of convention XII not applicable, *2*..... 206
rules of procedure in action in damages, *4*..... 206
suit for damages to be brought by written declaration addressed to international bureau, *5* ..... 206
international bureau shall notify government of belligerent captor of declaration of action, *6* ..... 207
transmission of case to international bureau, *6* ..... 207
transmission of record, after decision, by court to government or belligerent captor, *7* 207
additional protocol an integral part of convention XII ..... 207
adherence to protocol subordinated to adherence to convention, *9* ..... 207

**Adhesion of non-signatory states to 1899, I, and 1907, I**
special arrangements regarding, 1899, I, 60; 1907, I, *94*(m) ..... 79

**Adhesions**
conditions of adhesion to 1899 convention I, 1899, I, *60*..... 79
conditions of adhesion to 1907 convention I, 1907, I, *94*..... 79
to prize court convention and protocol..... 207
tables of .....229, 235

**Administration of territory**
occupant of enemy country can levy additional money taxes only for army needs and for, 1899, IIa, *49*; 1907, IVa, *49* ..... 124

**Administrative council at The Hague**
composed of diplomatic representatives of the powers, 1899, I, *28*..... 62
controls international bureau, 1899, I, *28* ..... 62
duties of, 1899, I, *28*; 1907, I, *49*(m)..... 62
fulfils same duties for international prize court as for permanent court of arbitration, 1907, XII, *22*..... 194
fulfils same duties for judicial arbitration court as for permanent court of arbitration, 1907, d, *12* ..... 34

**Aeroplanes.** See **Aircraft.** Page

**Agents**
parties may appoint agents before international prize court, 1907, XII, *25*..... 194
also permanent court of arbitration, 1899, I, 37; 1907, I, *62*..... 68

**Agricultural works belonging to the state**
treatment of, 1899, IIa, *55*, 1907, IVa, *55*..... 126

**Aircraft**
declarations prohibiting launching of projectiles and explosives from, 1899, IV(1); 1907, XIV, texts (see also marginal notes) ..... 220
signatory, ratifying and adhering powers.....222, 223
denunciation, method of ..... 221
bombardment of undefended places, 1907, IVa, *25*(m)..... 117
legitimate uses of, 1899, IIa, *29*; 1907, IVa, *29*..... 119
seizure of, by belligerent in occupied territory, 1907, IVa, *53*(m)..... 126

**Aliens**
in relation to military charges, *vœu* concerning, 1907, f..... 29

**Allegiance to occupying enemy**
inhabitants of occupied territory need not swear, 1907, IVa, *45*..... 123

**Ammunition.** See **Munitions of war.**

**Anchored submarine mines.** See under **Mines.**

**Angary**
neutral railway material in territory of belligerent, 1907, V, *19*..... 137

**Annual report of judicial arbitration court**
shall be made to powers and judges, 1907, d, *15*..... 35

**Appeal**
to international prize court decided by local law, after decision of national prize court, method of, 1907, XII, *6*..... 190
of other parties, 1907, XII, *33*..... 196
respondent receives copy of, 1907, XII, *32*..... 196

**Arbitral award,**
report of international commission of inquiry is not an, 1899, I, *14*; 1907, I, *35*..... 54

**Arbitral justice.** See **Arbitration court.**

**Arbitration, compulsory**
declaration respecting, 1907, f..... 27

**Arbitration court, judicial**
*vœu* concerning 1907, f..... 28
draft convention relative to the creation of a, 1907, d..... 31
constitution ..... 31
administrative council of permanent court of arbitration exercises same functions with respect to judicial court of arbitration, *12*..... 34
agreement to constitute, *1*..... 31
annual report shall be made to powers and judges, *15*..... 35
delegation, organization of the, *6*..... 32
international bureau acts as registry to court, *13*..... 34
judges, character of, *2*..... 31
method of ranking, *4*..... 32
shall serve 12 years, *3*..... 32

Page

can not be counsel for party before the court, *7*..... 33
can not decide cases in which they have previously taken part, *7*..... 33
compensation for, *9* ..... 33
enjoy diplomatic privileges, *5*..... 32
may also be judges of international prize court, *16*..... 35
receive no compensation from own or other government, *10*..... 34
required to take oath, *5*..... 32
meetings of court, *14*..... 34
president of court, how elected, *8*..... 33
sits at The Hague, *11* ..... 34
sits elsewhere with consent of parties, *11*..... 34
vacancy, manner of filling, *3*..... 32
competency and procedure of ..... 35
contracting powers only may apply to, *21*..... 36
costs, how paid, *29*..... 38
court follows rules in 1907, I, except so far as this convention provides, *22*..... 36
court may deal with all cases submitted in virtue of special or general treaties, *17* 35
decision is made by majority, *27*..... 37
is signed by president and registrar, *28*..... 38
must contain names of judges taking part, *28*..... 38
must give reasons, *28* ..... 38
delegation can decide cases by summary procedure, *18*..... 35
each party nominates a judge to the, *20*..... 36
if acting as commission of inquiry, each party may nominate any person to the, *20* ..... 36
may draw up *compromis* if parties agree, *19*..... 35
or in case of dispute governed by general treaty, *19*..... 36
or in case of dispute originating from contract debts, *19*..... 36
may hold inquiry, *18*..... 35
method of voting in, *30*..... 38
procedure, *30* ..... 38
discussions are under control of presiding officer, *26*..... 37
expenses of the court are borne by the powers, *31*..... 38
international bureau serves as channel for communications to judges, *24*..... 37
languages to be used, court determines, *23*..... 37
modifications to present convention, court may propose, *33*..... 38
notices to be served, how, *25*..... 37
procedure, court draws up its own, *32*..... 38
proceedings are secret, *27*..... 37

**Arbitration, international.** See also **Arbitration procedure; International commissions of inquiry; International prize court; Arbitration court, judicial; Arbitration, permanent court.**

convention for the pacific settlement of international disputes, 1899, I; 1907, I..... 41
is most effective in questions of a legal nature and in the interpretation of international conventions, 1899, I, *16*; 1907, I, *38*..... 55
object, 1899, I, *15*; 1907, I, *37*..... 55
obligation to submit to award, 1899, I, *18*; 1907, I, *37*(m).....56, 55
of contract debts, award shall determine validity, amount, and time of payment of claim in, 1907, II, *2*..... 89
powers should have recourse to international arbitration, 1907, I, *38*(n)..... 55
right reserved to conclude special or general arbitration treaties, 1899, I, *19*; 1907, I, *40* ..... 56
subjects embraced by convention, 1899, I, *17*; 1907, I, *39*..... 56

**Arbitration, permanent court.** See also **Administrative council.**

arbitrators, each power shall select four, 1899, I, *23*; 1907, I, *44*..... 58
death of judge, vacancy shall be filled in manner of election in case of, 1899, I, *23*; 1907, I, *44* ..... 58

Page

and for fresh period of six years, 1907, I, *44*(m) ..... 59
international bureau. See also **International bureau.**
disputant can address note indicating willingness to arbitrate to, 1907, I, *48*(n) ..... 62
is at disposal of any board of arbitration, 1899, I, *26*; 1907, I *47*(m) ..... 61
shall be record office of court, 1899, I, *22*; 1907, I, *43* ..... 57
judge, several powers may select the same, 1899, I, *23*; 1907, I, *44* ..... 58
judges, enrolment of, 1899, I, *23*; 1907, I, *44*(m) ..... 58
maintenance of, 1907, I, *41*(m) ..... 57
members have diplomatic immunities, 1899, I, *24*; 1907, I, *46* ..... 60
method of calling, 1899, I, *24*; 1907, I, *46*(m) ..... 60
method of forming, 1899, I, *24*; 1907, I, *45*(m) ..... 59
non-signatory powers may take advantage of the court by agreement, 1899, I, *26*; 1907, I, *47*(m) ..... 61
organization of court undertaken, 1899, I, *20* ..... 57
permanent court shall be competent unless special tribunal is created, 1899, I, *21*; 1907, I, *42* ..... 57
sits at The Hague, 1907, I, *43*(n) ..... 57
six years is term of judges, 1899, I, *23*; 1907, I, *44* ..... 59
third power may remind disputants of existence of, 1899, I, *27*; 1907, I, *48*(m) ..... 61
this is not an unfriendly act, 1899, I, *27*; 1907, I, *48* ..... 61
powers should have recourse to, 1907, I, *38*(n) ..... 55

**Arbitration procedure**
advantages attending regular organization, 1899, I, p; 1907, I, p ..... 41
agents and counsel may be retained by each party before the tribunal, 1899, I, *37*; 1907, I, *62* ..... 68
arbitrator, selection of, 1899, I, *32*; 1907, I, *55* ..... 66
arbitration procedure when sovereign is arbitrator, 1899, I, *33*; 1907, I, *56* ..... 67
award of tribunal binds only powers signing *compromis*, 1899, I, *56*; 1907, I, *84* ..... 75
is read in public, 1899, I, *53*; 1907, I, *80* ..... 74
may be revised, if the right is reserved in the *compromis*, 1899, I, *55*; 1907, I, *83* ..... 74
must give reasons, 1899, I, *52*; 1907, I, *79* ..... 73
must have signature of all members, 1899, I, *52* ..... 73
must have signature of president and registrar, 1907, I, *79*(m) ..... 73
puts an end to dispute without appeal, 1899, I, *54*; 1907, I, *81* ..... 74
shall be referred to tribunal in case of dispute as to execution, 1907, I, *82*(n) ..... 74
commission forms tribunal when it draws up *compromis*, 1907, I, *58*(n) ..... 67
*compromis* defined, 1899, I, *31*; 1907, I, *52*(m) ..... 64
is made by commission of five members if left to the court, 1907, I, *54*(n) ..... 66
permanent court may, if both parties agree, settle, 1907, I, *53*(n) ..... 65
permanent court may, at the request of one of the disputants, settle *compromis* in case of general arbitration treaty or dispute on contract debts, 1907, I, *53*(n) ... 65
counsel may present arguments orally, 1899, I, *45*; 1907, I, *70* ..... 71
may raise objections, 1899, I, *46*; 1907, I, *71* ..... 71
death of arbitrator, position filled in same manner as he was elected, 1899, I, *35*; 1907, I, *59* ..... 67
decision of tribunal is by majority, 1899, I, *51*; 1907, I, *78* ..... 73
on objections raised by counsel is final, 1899, I, *46*; 1907, I, *71* ..... 71
deliberation of tribunal is private, 1899, I, *51* ..... 73
and proceedings are secret, 1907, I, *78*(m) ..... 73
discussion, 1899, I, *39*; 1907, I, *63* ..... 69
close of, 1899, I, *50*; 1907, I, *77* ..... 73
how conducted, 1899, I, *41*; 1907, I, *66* ..... 70
documents produced must be communicated to opponent, 1899, I, *40* ..... 69
certified copies of, 1907, I, *64*(m) ..... 69
expenses of tribunal, how borne, 1899, I, *57*; 1907, I, *85* ..... 75
information, parties agree to furnish all necessary, 1907, I, *75*(n) ..... 72
intervening powers are bound by award, 1899, I, *56*; 1907, I, *84* ..... 75
intervening powers, states affected by the tribunal's interpretation of a convention may become, 1899, I, *56*; 1907, I, *84* ..... 75

Page

judges may not be agents, counsel, or advocates, except for power which appointed them, 1907, I, *62*(n) ... 68
languages to be used decided upon by tribunal, 1899, I, *38* ... 68
if *compromis* does not provide therefor, 1907, I, *61* ... 68
members of tribunal may put questions and ask explanations, but these are not expression of court's opinion, 1899, I, *47*; 1907, I, *72* ... 71
notices to be served on territory of a third state, shall be served by that state at request of tribunal, 1907, I, *76*(n) ... 72
preliminary proceedings, 1899, I, *39*; 1907, I, *63*(m) ... 69
submission of new documents, 1899, I, *42*; 1907, I, *67* ... 70
president of tribunal, how chosen, 1899, I, *34*; 1907, I, *57* ... 67
revision of award, method of demanding, 1899, I, *55*; 1907, I, *83* ... 74
rules in this convention shall apply in default of others, 1899, I, *30*; 1907, I, *51*(m) ... 64
summary
agent, each party has, 1907, I, *89*(n) ... 77
arbitrators, method of selection, 1907, I, 87(n) ... 76
oral explanations from agents or witnesses may be demanded by tribunal, 1907, I, *90*(n) ... 77
proceedings are written, 1907, I, *90*(n) ... 77
rules for, 1907, I, *86*(n) ... 76
time in which cases must be submitted, tribunal determines, 1907, I, *88*(n) ... 76
witnesses, each party may summon, 1907, I, *90*(n) ... 77
tribunal does not meet till pleadings are closed, 1907, I, *65*(n) ... 70
is competent to interpret *compromis* and apply international law, 1899, I, *48*; 1907, I, *73* ... 72
may consider and demand new documents, but must communicate same to opponent, 1899, I, *43*; 1907, I, *68* ... 70
may issue rules of procedure, 1899, I, *49*; 1907, I *74* ... 72
method of constitution, 1899, I, *32*; 1907, I, *55*(m) ... 66
place of meeting can not be changed without consent of parties, 1899, I, 25; 1899, I, *36*; 1907, I, *60* ... 61, 67
in territory of third power with latter's consent, 1907, I, *60*(n) ... 67
ordinarily at The Hague, 1899, I, *36*; 1907, I, *60* ... 67

**Arbitrators**
selection of, 1899, I, 32; 1907, I, *55* ... 66
method of selection for summary procedure, 1907, I, *87*(n) ... 76
powers shall each select four persons to act as, 1899, I, *23*; 1907, I, *44*(m) ... 58

**Argentine Republic**
adhesions and dates thereof ... 230
delegates to second conference ... 4
reservation to 1907 Convention II ... 92
to 1907 Convention V ... 140
signatory of 1910 additional protocol ... 208

**Armaments, limitation of.** See under **Limitation.**

**Armed land forces**
consist of what, 1899, IIa, *3*; 1907, IVa, *3* ... 108

**Armies**
signatory powers shall issue instructions in accordance with laws and customs of war on land to, 1899, II, *1*; 1907, IV, *1* ... 102

**Armistice**
defined; duration, 1899, IIa, *36*; 1907, IVa, *36* ... 121
general or local, 1899, IIa, *37*; 1907, IVa, *37* ... 121

Page

must be notified in good time to competent authorities and troops, 1899, IIa, *38*; 1907, IVa, *38* ..... 121
regulation of intercourse in theater of operations, 1899, IIa, *39*; 1907, IVa, *39*..... 121
suspension of hostilities, 1899, IIa, *38*; 1907, IVa, *38* ..... 121
violation by one party gives other right to denounce, 1899, IIa, *40*; 1907, IVa, *40*..... 122
by private individuals gives right to demand punishment thereof and compensation, 1899, IIa, *41*; 1907, IVa, *41*..... 122

**Arms**
causing unnecessary suffering forbidden, 1899, IIa, *23*; 1907, IVa, *23*..... 116
do not remain property of prisoners of war, 1899, IIa, *4*; 1907, IVa, *4*..... 108
neutral power need not prevent export and transport of, 1907, V, 7..... 134
occupant of territory shall take possession of, 1899, IIa, *53*; 1907, IVa, *53*..... 125
even if property of private individuals, but latter shall be restored at end of war and compensation made, 1899, IIa, *53*; 1907, IVa, *53*..... 126
Poisoned, are forbidden, 1899, IIa, *23*; 1907, IVa, *23*..... 116

**Army of occupation**
can take possession of, what, 1907, IVa, *53*..... 125
militia and volunteer corps part of, when, 1907, IVa, *1*..... 107

**Art**
during bombardment besieged must designate buildings devoted to, 1899, IIa, *27*; 1907, IVa, *27*; 1907, IX, *5* (by naval forces) .....118, 158
besiegers must spare as far as possible buildings devoted to, 1899, IIa, *27*; 1907, IVa, *27*; 1907, IX, *5* (by naval forces) .....118, 158
occupant of territory shall treat as private property the property of establishments devoted to, 1899, IIa, *56*; 1907, IVa, *56* ..... 127
property of art establishments can not be seized, destroyed, or intentionally damaged, 1899, IIa, *56*; 1907, IVa, *56*..... 127

**Asphyxiating or deleterious gases**
declaration prohibiting diffusion thereof, 1899, IV (2)..... 225
signatory, ratifying and adhering powers..... 226
denunciation, method of ..... 225

**Assaults.** See **Bombardment.**

**Assessor.** See under **International prize court.**

**Asylum**
to land forces, 1899, IIa, *57*, *58*; 1907, V, *11*, *12*.....127, 128, 135
to naval forces. See under **Neutral ports and waters.**
to prisoners, 1907, V, *13*..... 135
to wounded and sick, 1899, IIa, *59*, *60*; 1907, V, *14*, *15*.....128, 129, 135

**Attorneys**
who may act for private individuals before international prize court, 1907, XII, *25*.... 195

**Austria-Hungary**
delegates to first and second conferences..... .... 4
ratifications and dates thereof.....230, 236, 237
reservation to 1907 Convention IV..... 131
signatory of 1910 additional protocol ..... 208

**Automatic contact mines.** See **Mines.**

**Award.** See also under **Arbitration procedure.**
in arbitration of contract debts the validity, amount, and time of payment of claim shall be determined by, 1907, II, *2*..... 89

Page
powers agree not to use force in collecting contract debts except when debtor refuses to arbitrate or carry out, 1907, II, *1*..... 89

**Balloons, etc.** See **Aircraft.**

**Belgium**
delegates to first and second conferences ..... 5
ratifications and dates thereof.....230, 236, 237
signatory of 1910 additional protocol..... 208

**Belligerent.** See also **War on land; Naval war.**
army, neutral power is not responsible if persons cross frontier singly to join, 1907, V, *6*..... 134
can not erect telegraph station on neutral territory or make military use of one so erected before the war, 1907, V, *3*; 1907, V, *5*..... 133, 134
can not have more than three war-ships in harbor of neutral at one time, 1907, XIII, *15* ..... 212
can not move troops or munitions of war across neutral territory, 1907, V, *2*; 1907, V, *5* .....133, 134
controls hospital ships, 1899, III, *4*; 1907, X, *4*..... 165
converting merchant ship into war-ship must announce the fact, 1907, VII, *6*..... 147
may appeal to neutral merchant ships and yachts to take sick and wounded, 1907, X, *9*(n) ..... 168
may demand that sick and wounded on hospital ships, private yachts, etc., be handed over to it, 1907, X, *12*(n)..... 170
must institute bureau of information regarding prisoners of war, 1899, IIa, *14*; 1907, IVa, *14*..... 112
must pay for support of interned troops by neutral, 1907, V, *12*..... 135
war-ship. See **War-ships, belligerent.**

**Belligerents**
after engagement shall take care of shipwrecked, sick and wounded, prevent ill-treatment of, and examine the dead before burial, 1907, X, *16*(n) ..... 171
and neutrals, *vœu* concerning commercial and industrial relations between, 1907, f.... 29
are limited as to means of injuring enemy, 1899, IIa, *22*; 1907, IVa, *22*..... 116
capitulations between, involve what, 1907, IVa, *35*..... 120
communication between, by parlementaires, 1907, IVa, *32*..... 119
flag of truce, use of, in communicating, 1907, IVa, *32*..... 119
general rule of conduct for, 1907, IVp..... 101
interned in neutral territory, 1907, V, *11, 12, 13, 14, 15*.....135, 136
must respect rights and territory of neutrals, 1907, XIII, *1*; 1907, V, *1*.....210, 133
neutrals must show impartial treatment to, 1907, XIII, 9; 1907, V, 9.....211, 134
recruiting in neutral territory, rule concerning, 1907, V, *4*..... 134
to notify neutrals of existence of war, 1907, III, *2*..... 96

**Belligerents, qualifications of**
certificate or distinctive badges required, when, 1899, IIa; *1*; 1907, IVa, *1*..... 107
combatants and non-combatants, 1899, IIa, *3*; 1907, IVa, *3*..... 108
commander required for, 1899, IIa, *1*; 1907, IVa, *1*..... 107
conditions required for, 1899, IIa, *1, 2*; 1907, IVa, *1, 2*..... 107
distinctive emblem required for, 1899, IIa, *1*; 1907, IVa, *1*..... 107
sign, requirements for, 1899, IIa, *1*; 1907, IVa, *1*..... 107
instruction in laws of war required, 1899, IIa, *1*; 1907, IVa, *1*; 1899, II, *1*; 1907, IV, *1*.....107, 102
*levee en masse*, 1899, IIa, *2*; 1907, IVa, *2*(m)..... 107
militia, 1899, IIa, *1*; 1907, IVa, *1*..... 107
should carry arms openly, 1899, IIa, *1*; 1907, IVa, *1*..... 107
to conform to laws of war, 1899, IIa, *1*; 1907, IVa, *1*..... 107
volunteers, requisites for commander, 1899, IIa, *1*; 1907, IVa, *1*..... 107

Page

**Blockade**
postal correspondence destined for or proceeding from blockaded port, 1907, XI, *1*..... 182
by submarine mines, 1907, VIII, *2*..... 151

**Board**
lodging, and clothing of prisoners of war, 1907, IVa, *7*..... 109

**Bolivia**
adhesions and dates thereof ..... 230
delegates to second conference ..... 6
ratifications and dates thereof .....236, 237
reservation to 1907 Convention II ..... 93
signatory of 1910 additional protocol ..... 208

**Bombardment.** See also under **Aircraft.**
by naval forces,
*vœu* concerning, 1899, f..... 30
convention 1907, IX, text (see also marginal notes) ..... 157
signatory, ratifying and adhering powers..... 161, 162
denunciation, method of, *12*..... 160
reservations of, Chile, France, Germany, Great Britain and Japan..... 162
care to be exercised, *2*, *5*.....157, 158
for refusal of contributions, not allowed, *4*..... 158
exemption of certain buildings, and how to be marked, *5*..... 158
military necessity, *2*, *6*.....157, 159
of military establishments, *2*..... 157
notification to be given, *2*, *6*.....157, 159
not permissible, by presence solely of submarine mines, *1*..... 157
pillage after bombardment prohibited, *7*..... 159
of undefended places prohibited, except when supplies immediately necessary are refused, *1*, *3*.....157, 158
on land,
buildings exempt and how to be marked, 1899, IIa, *27*; 1907, IVa, *27*..... 118
notification, 1899, IIa, *26*; 1907, IVa, *26*..... 117
of undefended places, 1899, IIa, *25*; 1907, IVa, *25*..... 117

**Booty and captures**
private property can not be confiscated, 1899, IIa, *46*, *47*; 1907, IVa, *46*, *47*..... 123

**Brazil**
adhesions and dates thereof..... 230
delegates to second conference ..... 6
ratifications and dates thereof .....236, 237
reservation to 1907 Convention I..... 85

**Budgets**
resolutions concerning limitation of war, 1899, f; 1907, f..... 28

**Buildings**
devoted to art, etc., 1907, IVa, *27*, *56*; 1907, IX, *5*.....118, 127
occupying state is usufructuary of public, 1899, IIa, *55*; 1907, IVa, *55*..... 126

**Bulgaria**
delegates to first and second conferences..... 7
ratifications and dates thereof..... 230
signatory of 1910 additional protocol..... 208

**Bullets**
declaration prohibiting use of expanding bullets, 1899 text..... 227
signatory, ratifying and adhering powers..... 228

Page
denunciation, method of ..... 227
projectiles causing superfluous injury, 1899, IIa, *23 e*; 1907, IVa, *23 e*..... 116

**Bureau, international.** See **International Bureau.**

**Burials of dead**
prisoners of war, 1899, IIa, *19*; 1907, IVa, *19*..... 115

**Cables**
submarine, 1907, IVa, *53*(m), *54*(n); 1907, V, *8*, *9*.....126, 134

**Capitulation**
must be in accordance with military honor, 1899, IIa, *35*; 1907, IVa, *35*..... 120
must be scrupulously observed, 1899, IIa, *35*; 1907, IVa, *35*..... 120

**Capture**
convention relative to certain restrictions with regard to the exercise of right of capture in naval war, 1907, XI (see also the marginal notes)..... 182
signatory, ratifying and adhering powers .....186, 187
denunciation, method of, *13*..... 185
coast fishing vessels, etc., exempt, *3*..... 183
crews of captured enemy ships, treatment of, *5*, *6*.....183, 184
postal correspondence exempt, except for violation of blockade, *1*..... 182
neutral mail ships, treatment of, *2*..... 183
vessels on religious, philanthropic and scientific work exempt, *4*..... 183
personal property found on captured ships, 1907, X, *17*(n)..... 171
private hospital ships exempt, 1899, III, *2*; 1907, X, *2*..... 164
medical, religious, and hospital staffs are inviolable, 1899, III, *7*; 1907, X, *10*..... 169

**Captures and booty**
private property can not be confiscated, 1899, IIa, *46*, *47*; 1907, IVa, *46*, *47*..... 123

**Cargo**
enemy cargo on enemy merchant vessels at outbreak of hostilities, 1907, VI, *4*..... 142

**Cash**
authority of military occupant over, 1899, IIa, *53*; 1907, IVa, *53*..... 125

**Censorship in occupied territory**
press, 1907, IVa, *53*(m)..... 126
telegraphs, etc., 1899, IIa, *53*; 1907, IVa, *53*(m)..... 126

**Certificate**
private hospital ships must bear, 1899, III, *2*; 1907, X, *2*..... 164
of identification must be carried by newspaper reporters, sutlers, contractors, accompanying army, 1899, IIa, *13*; 1907, IVa, *13*..... 112

**Charitable establishments**
shall be treated as private property, 1899, IIa, *56*; 1907, IVa, *56*..... 127
should be designated by besieged during bombardment, 1899, IIa, *27*; 1907, IVa, *27*; 1907, IX, *5*.....118, 158
should be spared by besiegers during bombardment, 1899, IIa, *27*; 1907, IVa, *27*; 1907, IX, *5* .....118, 158

**Chile**
adhesions and dates thereof ..... 230
delegates to second conference..... 7

Page
reservation to 1907 Convention I....86, 240
to 1907 Convention IX....162, 254
to 1907 Convention XII....208, 256
signatory of 1910 additional protocol.... 208

**China**
adhesions and dates thereof....230, 236, 237
delegates to first and second conferences.... 8
ratifications and dates thereof....230, 236, 237
reservation to 1907 Convention X....180, 254, 255
to 1907 Convention XIII....218, 258, 259

**Claims.** See **Arbitration; Contract debts; Prize.**

**Coal.** See **Fuel.**

**Colombia**
adhesions and dates thereof.... 230
delegates to second conference.... 8
reservation to 1907 Convention II....93, 244
signatory of 1910 additional protocol.... 208

**Combatants and non-combatants**
as prisoners of war, 1899, IIa, *3*; 1907, IVa, *3*.... 108

**Commercial relations**
between inhabitants of belligerent and neutral countries, *vœu* concerning, 1907, f..... 29

**Commission of inquiry.** See **International commissions of inquiry.**

**Communes**
it is forbidden to seize property of, 1899, IIa, *56*; 1907, IVa, *56*.... 127
requisitions in kind except for necessity of army and in proportion to resources, can not be demanded of, 1899, IIa, *52*; 1907, IVa, *52*.... 125
shall be treated as private property, the property of, 1899, IIa, *56*; 1907, IVa, *56*.... 127

**Communication**
between belligerents by parlementaires, 1899, IIa, *32, 34*; 1907, IVa, *32, 34*....119, 120
means of, in neutral countries, 1907, V, *3, 5, 8, 9*....133, 134
occupying power may seize means of; must restore them at end of war with compensation, 1899, IIa, *53*; 1907, IVa, *53*(m).... 126

**Compensation**
for private property seized, 1899, IIa, *53, 56*; 1907, IVa, *53, 54*(n), *56*....125, 126, 127
for violation of armistice by private individuals, 1899, IIa, *41*; 1907, IVa, *41*.... 122
for violations of regulations respecting the laws and customs of war on land, 1907, IV, *3*(n) .... 103

**Compromis.** See under **Arbitration procedure; Arbitration court, judicial.**

**Conference of 1899**
Final Act .... 1
list of delegates .... 1

**Conference of 1907**
Final Act .... 1
list of delegates .... 1

**Confiscation** Page
private property, 1899, IIa, *46, 47, 56*; 1907, IVa, *46, 47, 56*.....123, 127

**Contact mines.** See **Mines.**

**Contraband of war.** See **Munitions of war.**

**Contract debts**
award shall determine validity, amount and time of payment of claim in arbitration of, 1907, II, *2* ..... 89
convention respecting the limitation of the employment of force for the recovery of, 1907, II (see also the marginal notes) ..... 89
powers agree not to use force except when debtor refuses to arbitrate, or carry out award after arbitration of, 1907, II, *1*..... 89

**Contractors**
entitled to treatment given prisoners of war, 1899, IIa, *13*; 1907, IVa, *13*..... 112
must show certificate from military authorities, 1899, IIa, *13*; 1907, IVa, *13*..... 112

**Contracts**
rights and actions, 1907, IVa, *23 h* (n) ..... 117

**Contribution.** See also **Requisition.**
collection of, 1899, IIa, *49, 51*; 1907, IVa, *49, 51*..... 124
failure to pay money by undefended towns, naval bombardment unauthorized, 1907, IX, *4* ..... 158
must be levied only by authority of high military official, 1899, IIa, *51*; 1907, IVa, *51* 124
must be levied only in accordance with local law, 1899, IIa, *51*; 1907, IVa, *51*..... 125
receipt shall be given for, 1899, IIa, *51*; 1907, IVa, *51*..... 125

**Conventions and declarations**
Final Acts of the First and Second Hague Peace Conferences..... 1
Draft Convention on a judicial arbitration court, 1907, f, d..... 31
Conventions of 1899 (I) and 1907 (I) for the pacific settlement of international disputes ..... 41
Conventions of 1899 (II) and 1907 (IV) respecting the laws and customs of war on land ..... 100
Conventions of 1899 (III) and 1907 (X) for the adaptation to maritime warefare of the principles of the Geneva Convention..... 163
Convention (II) of 1907 respecting the limitation of the employment of force for the recovery of contract debts ..... 89
Convention (III) of 1907 relative to the opening of hostilities..... 96
Convention (V) of 1907 respecting the rights and duties of neutral powers and persons in case of war on land..... 133
Convention (VI) of 1907 relating to the status of enemy merchant ships at the outbreak of hostilities ..... 141
Convention (VII) of 1907 relating to the conversion of merchant ships into war-ships.. 146
Convention (VIII) of 1907 relative to the laying of automatic submarine contact mines 151
Convention (IX) of 1907 concerning bombardment by naval forces in time of war... 157
Convention (XI) of 1907 relative to certain restrictions with regard to the exercise of the right of capture in naval war..... 182
Convention (XII) of 1907 relative to the creation of an international prize court..... 188
Convention (XIII) of 1907 concerning the rights and duties of neutral powers in naval war ..... 209
Declarations of 1899 (IV, 1) and 1907 (XIV) prohibiting the discharge of projectiles and explosives from balloons ..... 220
Declaration (IV, 2) of 1899 concerning asphyxiating gases ..... 225
Declaration (IV, 3) of 1899 concerning expanding bullets..... 227

**Conversion of merchant ships into war-ships** Page
convention relative to the, 1907, VII (see the marginal notes)..... ..... 146
signatory, ratifying and adhering powers..... 149
denunciation, method of, *11*..... 148

**Convoys**
of evacuation, through neutral states, 1907, V, *14*..... 135
sick and wounded prisoners of war, 1907, V, *15*..... 136
munitions and supplies in neutral territory, 1907, V, *2*..... 133

**Corps of combatants**
can not be formed in neutral territory, 1907, V, *4*..... 134

**Correspondence.** See **Postal correspondence.**

**Correspondents, newspaper**
entitled to treatment given prisoners of war, 1899, IIa, *13*; 1907, IVa, *13*..... 112

**Counsel.** See under **Arbitration procedure; International prize court; International commissions of inquiry.**

**Court.** See **Arbitration, permanent court; Arbitration court, judicial; International prize court.**

**Courts**
it is forbidden to deny nationals of hostile party recourse to, 1907, IVa, *23*(n)..... 117

**Crew.** See under **Merchant ship; Internment.**

**Criminal law**
legislation to prevent pillage of sick and wounded, misuse of special marks and badges shall be enacted by the powers and communicated through the Netherland Government, 1907, X, *21*(n)..... 173

**Cuba**
adhesions and dates thereof..... 230
delegates to second conference ..... 9
ratifications and dates thereof.....236, 237
reservation to 1907 Convention XII .....208, 256
signatory of 1910 additional protocol ..... 208

**Days of grace.** See under **Merchant ships, enemy.**

**Dead**
belligerents shall prevent ill-treatment of, and attend to examination of, before burial, 1907, X, *16*(n)..... 171
belligerents shall inform each other of changes in list of, 1907, X, *17*(n)..... 172
belligerents shall send to each other marks of identification of, 1907, X, *17*(n)..... 171
collection and transmission of property of, 1907, X, *17*(n)..... 172
report to be made of dead prisoners of war, 1907, IVa, *14*..... 112

**Declarations.** See also under **Conventions and declarations.**
unsigned declaration respecting obligatory arbitration, 1907, f..... 27

**Declaration of war.** See **Opening of hostilities.**

**Defended place**
although unfortified, may be bombarded, 1907, IX, *4*..... 158

**Delegates** Page
to peace conferences of 1899 and 1907 by countries..... 1
alphabetical list ..... 261

**Delegation.** See under **International prize court; Arbitration court, judicial.**

**Denmark**
delegates to first and second conferences..... 9
ratifications and dates thereof .....230, 236, 237
signatory of 1910 additional protocol..... 208

**Denunciation**
of armistice, 1899, IIa, *40*; 1907, IVa, *40*..... 122
of conventions and declarations (see marginal notes to conventions, etc.)

**Destruction**
of property forbidden except under imperative military necessity, 1899, IIa, *23*; 1907, IVa, *23* ..... 116

**Diplomatic immunity**
of members of permanent arbitration court, 1899, I, *24*; 1907, I, *46*..... 60
of judges of international prize court, 1907, XII, *13*..... 192

**Dominican Republic**
adhesions and dates thereof..... 230
delegates to second conference ..... 9
reservation to 1907 Convention II .....93, 244
to 1907 Convention VIII .....156, 252
1907 Convention XIII .....218, 258

**Due diligence**
duty of neutral power with respect to safeguard of neutrality of its ports, etc., 1907, XIII, *25* ..... 214

**Dumdum bullets.** See **Bullets.**

**Ecuador**
adhesions and dates thereof ..... 230
delegates to second conference ..... 10
reservation to 1907 Convention II .....93, 244
to 1907 Convention XII.....208, 256
signatory of 1910 additional protocol..... 208

**Educational establishments**
can not be seized, destroyed, or intentionally damaged, 1899, IIa, *56*; 1907, IVa, *56*. 127
shall be treated as private property, by occupant of territory, 1899, IIa, *56*; 1907, IVa, *56* 127

**Enemy.** See also under **Forbidden acts.**
belligerents are restricted as to means of injuring, 1899, IIa, *22*; 1907, IVa, *22*..... 116
belligerents can not force action against their country by nationals of, 1907, IVa *23*(n) 117
means of injuring. See **Means of injuring the enemy.**
not obliged to receive flag of truce, 1899, IIa, *33*; 1907, IVa, *33*..... 120

**Espionage.** See **Spy.**

**Family honor**
occupant of territory must respect, 1899, IIa, *46*; 1907, IVa, *46*..... 123

**Final Act** Page
of Peace Conference of 1899 ..... 1
signatory powers ..... 39
of Peace Conference of 1907 ..... 1
signatory powers ..... 40
reservation of Switzerland ..... 40, 258

**Fishing vessels**
for coast trade are exempt from capture, 1907, XI, *3* ..... 183
unless they take part in hostilities, 1907, XI, *3* ..... 183
not to be used for hostile purposes, 1907, XI, *3* ..... 183

**Flag**
national
on hospital ships, 1899, III, *5*; 1907, X, *5* ..... 5
of enemy
improper use forbidden, 1899, IIa, *23*; 1907, IVa, *23* ..... 116
of truce. See **Parlementaire.**
red cross
on hospital ships, 1899, III, *5*; 1907, X, *5*(m) ..... 166
improper use, 1899, IIa, *23*; 1907, IVa, *23* ..... 116

**Forbidden acts**
abuse of distinctive badges of Geneva Convention, 1899, IIa, *23*; 1907, IVa, *23* ..... 116
act of hostility in neutral waters, 1907, XIII, *2* ..... 210
bombardment of undefended towns, 1899, IIa, *25*; 1907, IVa, *25* ..... 117
by naval forces, 1907, IX, *1* ..... 157
bombardment of towns because of failure to pay money contributions, 1907, IX, *4* ..... 158
bombardment of town solely because there are mines in the harbor, 1907, IX, *1* ..... 157
confiscation of private property, 1899, IIa, *46*; 1907, IVa, *46* ..... 123
denial of courts to nationals of hostile party, 1907, IVa, *23*(n) ..... 117
destruction of property except under military necessity, 1899, IIa, *23*; 1907, IVa, *23* .. 116
diffusion of asphyxiating or deleterious gases, 1899 ..... 225
improper use of national flag, 1899, IIa, *23*; 1907, IVa, *23* ..... 116
killing or injuring of disabled enemy, 1899, IIa, *23*; 1907, IVa, *23* ..... 116
killing or injuring of surrendered enemy, 1899, IIa, *23*; 1907, IVa, *23* ..... 116
misuse of enemy uniform, 1899, IIa, *23*; 1907, IVa, *23* ..... 116
pillage, 1899, IIa, *47*; 1907, IVa, *47* ..... 123
pillage of town, taken by assault, 1899, IIa, *28*; 1907, IVa, *28*; 1907, IX, *7* ..... 118, 159
treacherous killing of enemy, 1899, IIa, *23*; 1907, IVa, *23* ..... 116
use of arms which cause unnecessary suffering, 1899, IIa, *23*; 1907, IVa, *23* ..... 116
use of poison or poisoned arms, 1899, IIa, *23*; 1907, IVa, *23* ..... 116
use of projectiles causing useless suffering, 1899, IIa, *23*; 1907, IVa, *23* ..... 116

**Forces, unorganized.** See **Levee en masse.**

**Forests**
occupying state is only usufructuary of, 1899, IIa, *55*; 1907, IVa, *55* ..... 126

**France**
delegates to first and second conferences ..... 10
ratifications and dates thereof ..... 230, 236, 237
reservations to 1907 Convention VIII ..... 156, 252, 253
to 1907 Convention IX ..... 162, 254, 255
signatory of 1910 additional protocol ..... 208

**Fuel in neutral waters**
quantity allowable to belligerent war-ships, 1907, XIII, *19*, *20* ..... 213

**Funds** Page
occupying state may seize, 1899, IIa, *53*; 1907, IVa, *53* ..... 125

**Gases, asphyxiating or deleterious**
prohibition of diffusion, 1899 ..... 225

**Geneva Convention.** See also **Hospital Ships.**
applies to sick and wounded, 1899, IIa, *21*; 1907, IVa, *21* ..... 115
interned in neutral territory, 1899, IIa, *60*; 1907, V, *15* ..... 129, 136
improper use of the insignia forbidden, 1899, IIa, *23*; 1907, IVa, *23* ..... 116
*vœu* concerning revision of, 1899, f ..... 28
conventions for the adaptation to maritime warfare of the principles of the, 1899, III; 1907, X ..... 163
signatory, ratifying and adhering powers, 1899, 1907 .....178, 179
denunciation, method of, 1899, *14*; 1907, *27* ..... 176
execution of the convention, 1907, X, *20*(n) ..... 173
not applicable unless all belligerents are contracting parties, 1899, III, *11*; 1907, X, *18* ..... 172
applies only to forces actually embarked, 1907, X, *22*(n) ..... 174
neutral merchant ships rendering assistance to shipwrecked and wounded, 1899, III, 6; 1907, X, *9* ..... 168
wounded, etc., landed at neutral ports, 1907, X, *15*(n) ..... 171
rescue by neutral war vessels, 1907, X, *13*(n) ..... 170
penalties for violation of convention, 1907, X, *21*(n) ..... 173

**Germany**
delegates to first and second conferences ..... 1
ratifications and dates thereof .....230, 236, 237
reservation to 1899 Convention III .....179, 234
to 1907 Convention IV .....132, 250, 251
1907 Convention VI .....154, 252, 253
1907 Convention VIII .....156, 252, 253
1907 Convention IX .....162, 254, 255
1907 Convention XIII .....218, 258, 259
signatory of 1910 additional protocol ..... 208

**Good offices and mediation.** See **Mediation.**

**Great Britain**
adhesions and dates thereof ..... 231
delegates to first and second conferences ..... 12
ratifications and dates thereof .....231, 236, 237
reservation to 1899 Convention III .....179, 234
to 1907 Convention V .....140, 250
1907 Convention VIII .....156, 252, 253
1907 Convention IX .....162, 254, 255
1907 Convention X .....181, 256
1907 Convention XIII .....218, 258
signatory of 1910 additional protocol ..... 208

**Greece**
delegates to first and second conferences ..... 13
ratifications and dates thereof ..... 231
reservation to 1907 Convention I .....86, 240
to 1907 Convention II .....94, 246

**Guatemala**
adhesions and dates thereof ..... 231

Page
delegates to second conference ..... 13
ratifications and dates thereof ..... 236, 237
reservation to 1907 Convention II ..... 94, 246, 247
to 1907 Convention XII ..... 208, 256
signatory of 1910 additional protocol ..... 208

**Guides**
impressment of, in occupied territory, 1899, IIa, *24*; 1907, IVa, *23 h* (n), *24*, *44*(m) ..... 117, 123

**Haiti**
adhesions and dates thereof ..... 231
delegates to second conference ..... 13
ratifications and dates thereof ..... 236, 237
reservation to 1907 Convention XII ..... 208, 256
signatory of 1910 additional protocol ..... 208

**Honduras**
adhesions and dates thereof ..... 231

**Hospital ships**
act at their own risk during and after engagement, 1899, III, *4*; 1907, X, *4* ..... 165
are under control of belligerents, 1899, III, *4*; 1907, X, *4* ..... 166
belligerent may demand that sick and wounded be turned over by, 1907, X, *12*(n) ..... 170
belligerent war-ship may demand delivery of sick, wounded and shipwrecked, 1907, X, *12*(n) ..... 170
boats of, 1899, III, *5*; 1907, X, *5* ..... 166
classes of, 1899, III, *1*, *2*, *3*; 1907, X, *1*, *2*, *3* ..... 164, 165
detained by the enemy must haul down belligerent flag of nation which controlled them, 1907, X, *5*(n) ..... 167
distinguished signs not to be used for other purposes, 1907, X, *6*(n) ..... 167
equipped by persons, etc., of neutral countries, by private individuals or relief societies, 1899, III, *3*; 1907, X, *3*(m) ..... 165
flags, 1899, III, *5*; 1907, X, *5*(m) ..... 166
in neutral ports, 1907, XIII, *14* ..... 212
inviolability of staff, 1899, III, *7*; 1907, X, *10* ..... 169
movements during and after engagements, 1899, III, *4*; 1907, X, *4* ..... 165
must render their coloring plain at night, 1907, X, *5*(n) ..... 167
rights of belligerents in regard to, 1899, III, *4*; 1907, X, *4* ..... 166
shall afford relief independently of nationality, 1899, III, *4*; 1907, X, *4* ..... 165
shall be painted white with green strake, 1899, III, *5*; 1907, X, *5* ..... 166
shall carry national and red cross flags, 1899, III, *5*; 1907, X, *5* ..... 166
if a neutral it shall also carry flag of belligerent controlling it, 1907, X, *5*(m) ..... 166
shall not be used for military purposes, 1899, III, *4*; 1907, X, *4* ..... 165
shall not hamper combatants, 1899, III, *4*; 1907, X, *4* ..... 165
staff may be armed for maintaining order and defending the sick, 1907, X, *8*(n) ..... 168
use of distinctive signs restricted, 1907, X, *6*(n) ..... 167

**Hospitals**
besieged must designate, 1899, IIa, *27*; 1907, IVa, *27*; 1907, IX, *5* (by naval forces) 118, 159
assailant must spare, 1899, IIa, *27*; 1907, IVa, *27*; 1907, IX, *5* (by naval forces) ... 118, 159

**Hostilities.** See also **Opening of hostilities.**
conduct of. See **Means of injuring the enemy.**
resumption of, after denunciation of armistice, 1899, IIa, *40*; 1907, IVa, *40* ..... 122
unwritten rules, how applied, 1907, IV, p ..... 101

**Humanity, laws of** Page
a factor in international law, 1899, II, p; 1907, IV, p..... 102
to be considered in interpreting regulations concerning the qualifications of belligerents, 1899, II, p; 1907, IV, p..... 102
in treatment of prisoners of war, 1899, IIa, *4*; 1907, IVa, *4*..... 108

**Identification.** See under **Certificate.**

**Indemnity.** See **Compensation.**

**Industrial relations**
between inhabitants of belligerent and neutral countries; *vœu* concerning, 1907, f..... 29

**Information bureau regarding prisoners of war.** See also **Prisoners of war.**
deaths, names, wounds of prisoners of war, etc., record of, 1907, IIa, *14*; 1907, IVa, *14*(m) ..... 112
functions of, 1899, IIa, *14*; 1907, IVa, *14*(m)..... 112
information required to be kept by, 1899, IIa, *14*; 1907, IVa, *14*(m)..... 112
postal duties for, free, 1899, IIa, *14*; 1907, IVa, *14*..... 112
required to keep return or card for prisoners, 1899, IIa, *14*; 1907, IVa, *14*(m)..... 112
to collect and forward valuables, letters, etc., 1899, IIa, *14*; 1907, IVa, *14*(m)..... 113
when and where instituted, 1899, IIa, *14*; 1907, IVa, *14*(m)..... 112

**Information, obtaining of**
by ruses of war, 1899, IIa, *24*; 1907, IVa, *24*..... 117
undisguised soldiers, 1899, IIa, *29*; 1907, IVa, *29*..... 118
spies, 1899, IIa, *29*; 1907, IVa, *29*..... 118
truce bearers, 1899, IIa, *33*; 1907, IVa, *33*..... 120
from inhabitants of occupied territory, through compulsion, 1907, IVa, *44*..... 123

**Inquiry, international commissions of.** See **International commissions of inquiry.**

**Insignia and uniform of the enemy**
improper use of, forbidden, 1899, IIa, *23 f*; 1907, IVa, *23 f*..... 116

**Instructions**
to be issued to armed land forces, 1899, II, *1*; 1907, IV, *1*..... 102

**Intercourse**
in theater of operations, may be regulated by armistice, 1899, IIa, *39*; 1907, IVa, *39*.. 121

**International arbitration.** See **Arbitration, international.**

**International bureau**
acts as registry to international commissions of inquiry, 1907, I, *15*(n)..... 48
to international prize court, 1907, XII, *23*..... 194
to judicial arbitration court, 1907, d, *13*..... 34
to permanent court of arbitration, 1899, I, *22*; 1907, I, *43*(m)..... 57
appeal in international prize court procedure, may be made without awaiting national court decision, direct to, 1907, XII, *30*..... 196
controlled by permanent administrative council, 1899, I, *28*; 1907, I, *49*..... 62
how expenses are divided, 1899, I, *29*; 1907, I, *50*(m)..... 63
in dispute one of the powers may address note signifying willingness to arbitrate direct to, 1907, I, *48*(n)..... 62
is at disposal of any board of arbitration, 1899, I, *26*; 1907, I, *47*..... 61
receives declaration of suit for damages brought before international prize court, *5*... 206
notifies government of belligerent captor of declaration of action, *6*..... 207
receives case from government of belligerent captor, *6*..... 207
serves as channel for communications to the judges of the judicial arbitration court, 1907, d, *24*..... 37

**International commissions of inquiry** Page
agents must be summoned to attend investigations, 1907, I, *21*(n) ... 50
considers case in secret and decides by majority vote, 1907, I, *30*(n) ... 53
constitution, 1899, I, *9, 10, 11, 26*; 1907, I, *9*(m), *10, 12*(m) ... 45–47, 61
counsel may present summaries of facts to, 1907, I, *29*(n) ... 53
expenses, how paid, 1907, I, *36*(n) ... 55
explanations, commission may ask either party for, 1907, I, *22*(n) ... 50
inquiry convention determines language, place of meeting, etc., 1907, I, *10*(n) ... 46
determines facts, method of forming commission, and powers of commissioners, 1907, I, *10*(m) ... 46
languages are determined by commission if inquiry convention fails to specify, 1907, I, *11*(n) ... 47
meetings not public nor are minutes published, 1907, I, *31*(n) ... 53
ordinarily held at The Hague, 1907, I, *11*(n) ... 47
may be held elsewhere to secure information, 1907, I, *20*(n) ... 49
or with consent of parties, 1907, I, *11*(n) ... 47
notices shall be served by powers in whose territory service is desired, 1907, I, *24*(n) ... 51
parties agree to furnish evidence, 1899, I, *12*; 1907, I, *23*(n) ... 50
parties may have agents or counsel, 1907, I, *14*(n) ... 48
parties must both be heard, 1907, I, *19*(n) ... 49
parties must communicate statement of facts to each other, 1907, I, *19*(n) ... 49
registry, functions of, 1907, I, *16*(n) ... 48
registry, international bureau acts as, 1907, I, *15*(n) ... 48
report is limited to statement of facts, 1899, I, *14*; 1907, I, *35* ... 54
report is not arbitral award, 1899, I, *14*; 1907, I, *35* ... 54
report is read in public and copy given to each party, 1907, I, *34*(n) ... 54
report is signed by all members of commission, 1907, I, *33*(n) ... 54
if one member refuses to sign note is made thereof, 1907, I, *33*(n) ... 54
report is submitted to conflicting powers, 1899, I, *13* ... 54
rules, 1907, I, *17*(n) ... 49
if not determined by inquiry convention shall be settled by commission, 1907, I, *18*(n) 49
termination of hearing, 1907, I, *32*(n) ... 54
vacancy, mode of filling, 1907, I, *13*(n) ... 47
witnesses, examination of, 1907, I, *26*(n) ... 52
may use notes, but may not read draft, 1907, I, *27*(n) ... 52
must sign testimony, 1907, I, *28*(n) ... 53
summoning and hearing, 1907, I, *25*(n) ... 51

**International law**
its principles resultant from usages established between nations, from laws of humanity and requirements of public conscience, 1899, II, p; 1907, IV, p ... 102

**International prize court.** See also **Additional protocol.**
convention relative to the creation of an, 1907, XII (see also the marginal notes) ... 188
constitution, 1907, XII, *10–27* ... 191–195
administrative council fulfils same functions as for permanent arbitration court, XII, *22* 194
assessor, belligerent captor or interested neutral may appoint naval officer as, XII, *18* 193
attorneys for private individuals, who may act as, XII, *26* ... 195
international bureau acts as registry for, XII, *23* ... 194
judges, XII, *10–20* ... 191–193
contracting powers appoint deputy judges and, XII, *10* ... 191
compensation of, XII, *20* ... 193
have diplomatic immunities, XII, *13* ... 192
if judge is absent, deputy judge sits, XII, *14* ... 192
in case its judge is not sitting when case comes up belligerent may ask to have him admitted, XII, *16* ... 193
may also be judges of judicial arbitration court, 1907, d, *16* ... 35
method of ranking, XII, *12* ... 192
of seating, XII, *15* ... 192

Page
must take oath, XII, *13*.... 192
no judge can serve any party in any capacity, XII, *17*.... 193
no judge can sit who took part in lower decision, XII, *17*.... 193
permanent judges, XII, *15*.... 192
serve six years and may be reappointed, XII, *11*.... 191
several countries may appoint same, XII, *15*.... 192
there are in the court fifteen, XII, *14*.... 192
language is determined by court, but official language of national court giving first decision may be used, XII, *24*.... 194
method of electing officers, XII, *19*.... 193
notices to be served are served by government on whose territory service is necessary and at request of court, XII, *27*.... 195
parties may appoint agents and counsel, XII, *25*.... 194
quorum, how constituted, XII, *14*.... 192
sits at The Hague, and can not change without consent of parties, XII, *21*.... 194
table of judges and deputy judges, XII, *15*.... 192
vacancy, how filled, XII, *11*.... 191
general provisions, XII, *1–9*....188–191
basis of appeal against national prize court, XII, *3*.... 189
if capture is adjudged invalid, international court may order restitution or damages, XII, *8* .... 191
if capture is adjudged valid, vessel is disposed of according to law of captor, XII, *8* 191
if national court adjudged capture null, international court can only decide as to damages, XII, *8*.... 191
if national courts do not decide case in two years, case may go direct to international court, XII, *6*.... 190
if no international law applies, general justice and equity rule, XII, *7*.... 190
if prize violated law of captor, court shall enforce law unless unjust, XII, *7*.... 190
if treaty is in force, it shall govern, XII, *7*.... 190
if treaty is not in force, international law applies, XII, *7*.... 190
judgment of belligerent captor is notified to belligerent or neutral parties interested, XII, *2* .... 189
judgment of national may be brought before international court in certain cases, XII, *3* .... 189
jurisdiction is exercised in first instance by captor, XII, *2*.... 189
method of appeal from national court is decided by local law, XII, *6*.... 190
national courts can deal only in two instances with case, XII, *6*.... 190
signatory powers agree to submit to decisions of international court, XII, *9*.... 191
validity of capture of merchant ship, determination of, XII, *1*.... 188
who may appeal to international court, XII, *4, 5*....189, 190
procedure
appeal before national court must be transmitted to international court, XII, *29*.... 195
appeal by neutral individual is notified to his government, XII, *29*.... 196
copy is sent to respondent, XII, *32*.... 196
may be by telegram, XII, *28*.... 195
must be made in national court or before international bureau, XII, *28*.... 195
must be made within 120 days, XII, *28*.... 195
not made within time is rejected except in case of *force majeure*, XII, *31*.... 196
of other parties, XII, *33*.... 196
to international bureau is notified to national court, XII, *29*.... 195
without national court decision must go direct to international bureau, XII, *30*... 196
court may propose modifications in present convention, XII, *50*.... 200
will proceed without party who fails to appear or comply with regulations, XII, *40*. 198
decision and record of case are sent to national court, XII, *45*.... 198
is arrived at in private with secret proceedings, XII, *43*.... 198
must give reasons and be signed by judges and president and registrar, XII, *44*.... 198
must take into account all facts, evidence and oral statements, XII, *42*.... 198

Page

made by majority of judges present, XII, *43*..... 198
decrees made in absence of a party are notified to it, XII, *41*..... 198
delegation performs duties of court when latter is not sitting, XII, *48*..... 199
discussions are controlled by president, XII, *38*..... 197
are public, subject to contrary request of a litigant, XII, *39*..... 198
oral, XII, *34* ..... 197
expenses of court, general, how borne, XII, *47*..... 199
of trial, how borne, XII, *46*..... 199
judge appointed by a belligerent can not preside, XII, *38*..... 197
parties are summoned for every stage of proceedings, XII, *37*..... 197
receive certified copies of the minutes, XII, *37*..... 197
pleadings, XII, *34*..... 197
procedure, court draws up its own rules of, XII, *49*..... 199
sentence pronounced in public sitting, XII, *45*..... 198
sitting, public, XII, *35*..... 197
supplementary evidence, XII, *36*..... 197

**Internment**
belligerent war-ships in neutral ports, 1907, XIII, *24*..... 214
officers may be released on parole by neutral state, 1899, IIa, 57; 1907, V, *11*.....127, 135
prisoners of war, 1899, IIa, *5*; 1907, IVa, *5*(m)..... 108
in neutral territory, 1907, V, *13*..... 135
prize crew of prize captured in neutral waters, 1907, XIII, *3*..... 210
troops may be guarded in camps or fortified places, 1899, IIa, *57*; 1907, V, *11*.....127, 135
troops shall be maintained by neutral in default of special agreement, 1899, IIa, *58*; 1907, V, *12*.....128, 135
belligerent shall reimburse neutral at conclusion of peace, 1899, IIa, *58*; 1907, V, *12* .....128, 135
wounded and sick interned in neutral territory, 1899, IIa, *59*; 1907, V, *14*.....128, 135
application of Geneva Convention, 1899, IIa, *60*; 1907, V, *15*.....129, 136
landed at neutral port, 1907, X, *15*(n)..... 171
expenses to be borne by government of wounded, 1907, X, *15*(n)..... 171

**Invasion.** See **Occupied territory.**

**Inviolability**
of bearer of the flag of truce, 1899, IIa, *32*; 1907, IVa, *32*..... 119
unless he incites to treason, 1899, IIa, *34*; 1907, IVa, *34*..... 120
of bugler, drummer and interpreter accompanying parlementaire, 1899, IIa, *32*; 1907, IVa, *32* ..... 120
of neutral territory, 1907, V, *1*, *2*..... 133
postal correspondence on neutral or enemy ship, unless intended for blockaded port in violation of blockade, 1907, XI, *1*..... 182
of trumpeter accompanying flag of truce, 1899, IIa, *32*; 1907, IVa, *32*..... 120

**Irregular troops**
conditions of possessing belligerent rights, 1899, IIa, *1*, *2*; 1907, IVa, *1*, *2*(m)..... 107

**Italy**
delegates to first and second conferences..... 14
ratifications and dates thereof..... 231
signatory of 1910 additional protocol ..... 208

**Japan**
delegates to first and second conferences..... 15
ratifications and dates thereof .....231, 236, 237
reservations to 1907 Convention I.....86, 240, 241

Page
to 1907 Convention IV....132, 250, 251
1907 Convention IX....162, 254, 255
1907 Convention XIII....218, 258, 259
signatory of 1910 additional protocol.... 208

**Judges.** See **Arbitration procedure; International prize court; Arbitration court, judicial; Arbitration, permanent court.**

**Judicial arbitration court.** See **Arbitration court, judicial.**

**Korea**
adhesions and dates thereof.... 231

**Land forces**
instructions to be issued to, 1907, IV, *1*.... 102

**Land warfare.** See **War on land.**

**Legal rights and actions**
of nationals of belligerents, 1907, IVa, *23*(n).... 117

**Levee en masse to resist invader**
regarded as belligerents, 1899, IIa, *2*; 1907, IVa, *2*.... 107
conditions required, 1899, IIa, *2*; 1907, IVa, *2*(m).... 107

**Liability**
of belligerent party violating Regulations for war on land, 1907, IV, *3*(n).... 103

**Liberia**
adhesions and dates thereof....236, 237

**Limitation**
of armaments and war budgets
*vœu* concerning, 1899, f.... 29
of military charges
resolutions concerning, 1899, f; 1907, f.... 28

**Loans**
to belligerents by neutral persons, 1907, V, *18*.... 136

**Luxemburg**
delegates to first and second conferences.... 15
ratifications and dates thereof....231, 236, 237

**Mail ship, neutral.** See also **Postal Correspondence.**
can be searched only if absolutely necessary and then with great expedition, 1907, XI, *2*.... 183

**Maintenance.**
of interned troops, 1907, V, *12*.... 135
of prisoners of war, 1899, IIa, 7; 1907, IVa, 7.... 109

**Maritime war.** See **Naval war.**

**Means of injuring the enemy**
aircraft, projectiles and explosives discharged from, 1907, XIV; 1907, IVa, *25*...220, 117
confiscation of private property, 1899, IIa, *46*; 1907, IVa, *46*.... 123

Page

forbidden, arms, projectiles, etc., causing unnecessary injury, 1899, IIa, *23 e*; 1907, IVa, *23 e* ..... 116
assassination of individuals of hostile army or nation, 1899, IIa, *23 b;* 1907, IVa, *23 b* ..... 116
bullets which expand in human body, 1899, IIa, *23 e;* 1907, IVa, *23 e*..... 116
contamination of water, etc., 1899, IIa, *23 a;* 1907, IVa, *23 a*..... 116
distinctive badges and emblems, improper use of, 1899, IIa, *23 f;* 1907, IV, *23 f*... 116
flag of enemy, improper use of, 1899, IIa, *23 f;* 1907, IVa, *23 f*..... 116
truce, improper use of, 1899, IIa, *23 f;* 1907, IVa, *23 f*..... 116
red cross, improper use of, 1899, IIa, *23 f;* 1907, IVa, *23 f*..... 116
insignia and uniform of enemy, improper use of, 1899, IIa, *23 f;* 1907, IVa, *23 f*... 116
killing or wounding enemy who has surrendered, 1899, IIa, *23 c;* 1907, IVa, *23 c*..... 116
pillage, 1899, IIa, *28, 47;* 1907, IVa, *28, 47*.....118, 123
poison and poisoned weapons, 1899, IIa, *23 a;* 1907, IVa, *23 a*..... 116
projectiles, arms, etc., causing unnecessary injury, 1899, IIa, *23 e;* 1907, IVa, *23 e*.. 116
diffusing asphyxiating gases, etc., 1899, IIa, *23 a;* 1907, IVa, *23 a* ..... 116
to compel hostile nationals to take part in military operations, etc., 1907, IVa, *23* h(n) ..... 117
to declare no quarter will be given, 1899, IIa, *23 d;* 1907, IVa, *23 d*..... 116
treacherous killing or wounding of individuals, 1899, IIa, *23 b;* 1907, IVa, *23 b*..... 116
limited, 1899, IIa, *22*; 1907, IVa, *22*..... 116
projectiles and explosives discharged from balloons, etc., 1907, XIV; 1907, IVa, *25* 220, 117
ruses and measures necessary for obtaining information permissible, 1899, IIa, *24*; 1907, IVa, *24* ..... 117

**Mediation and good offices**

before appeal to arms powers agree to have recourse to, 1899, I, *2*; 1907, I, *2*(m)..... 43
do not interfere with preparation for war, 1899, I, *7*; 1907, I, *7*..... 44
do not interrupt war, 1899, I, *7*; 1907, I, *7*..... 44
during hostilities powers strangers to suit may offer good offices or mediation, 1899, I, *3*; 1907, I, *3*(m)..... 43
have exclusively the character of advice, 1899, I, *6*; 1907, I, *6*..... 44
mediator shall reconcile opposing claims, 1899, I, *4*; 1907, I, *4*..... 44
mediator's functions shall cease when it or one of the disputants announces non-acceptance of mediation, 1899, I, *5*; 1907, I, *5*..... 44
not unfriendly act, 1899, I, *3*; 1907, I, *3*(m)..... 43
special mediation, method of, 1899, I, *8*; 1907, I, *8*(m)..... 45

**Medical staff of captured vessel**

inviolability, 1899, III, *7*; 1907, X, *10*..... 169
may remain with boat, 1899, III, *7*; 1907, X, *10*..... 169
may remove private property when they leave, 1899, III, *7*; 1907, X, *10*..... 169
salary after capture, 1899, III, *7*; 1907, X, *10*(m)..... 169

**Merchant ships, enemy**

at outbreak of hostilities, convention respecting, 1907, VI ..... 141
enemy cargo thereon is detained under certain conditions, 1907, VI, *4*..... 142
ignorant of war, entering enemy port, should be allowed to depart, 1907, VI, *1*..... 141
in enemy port at outbreak of hostilities should be allowed to depart, 1907, VI, *1*.... 141
intended for conversion into war-ships, not covered by 1907, VI, 1907, VI, *5*..... 142
on high seas and ignorant of war, may be detained, destroyed, or requisitioned, upon payment of compensation, 1907, VI, *3*..... 142
unable to leave the enemy port within the time limit can not be confiscated, 1907, VI, *2* ..... 141
unable to leave the enemy port within the time limit may be detained, subject to restoration, or requisitioned and paid for, 1907, VI, *2*..... 141
restrictions with regard to capture of, convention respecting, 1907, XI..... 182
crew are not made prisoners of war, when nationals of neutral state, 1907, XI, *5*... 183

Page
fishing vessels and boats in local trade exempt from capture, 1907, XI, *3*..... 183
nor when nationals of enemy state, if they agree not to aid in operations of war, 1907, XI, *6* ..... 184
officers are not made prisoners of war when nationals of neutral state and promise not to serve on enemy vessel, 1907, XI, *5*..... 183
the names of those officers and members of the crew agreeing not to take part are notified to belligerent who must not employ them, 1907, XI, *7*..... 184
vessels on religious, scientific or philanthropic missions exempt, 1907, XI, *3*..... 183
when vessels take part in hostilities, rules as to crew do not apply, 1907, XI, *8*... 184
conversion into war-ships, convention respecting, 1907, VII ..... 146
crew must be under military discipline, 1907, VII, *4*..... 147
master must be duly commissioned, 1907, VII, *3*..... 146
must be under control of power whose flag it flies, 1907, VII, *1*..... 146
must observe laws and customs of war, 1907, VII, *5*..... 147
must show marks of nationality, 1907, VII, *2*..... 146

**Merchant ships, neutral**
having wounded of belligerent on board, 1899, III, *6*; 1907, X, *9*(m)..... 168

**Mexico**
delegates to first and second conferences..... 15
ratifications and dates thereof.....231, 236, 237
signatory of 1910 additional protocol..... 208

**Military interests**
limitation upon duty to search for shipwrecked or wounded after engagements, 1907, X, *16*(n)..... 171
or to protect them against pillage or maltreatment, 1907, X, *16*(n)..... 171

**Military necessity**
destruction of enemy's property, 1899, IIa, *23 g;* 1907, IVa, *23 g*..... 116
guides, impressment of, 1899, IIa, *24, 44*; 1907, IVa, *23, 24, 44*.....117, 123
information of enemy and country, 1899, IIa, *24*; 1907, IVa, *24*..... 117
limitation upon notification of mine zones, 1907, VIII, *3*..... 152
limitation upon removal of evils of war, 1899, II, p; 1907, IV, p..... 101
ruses of war, 1899, IIa, *24*; 1907, IVa, *24*..... 117
submarine cables, seizure of, etc., 1907, IVa, *54*(n)..... 126
taxes in occupied territory, 1899, IIa, *49*; 1907, IVa, *49*..... 124
use of sick wards and their material for other purposes, 1907, X, *7*(n)..... 168
requisitions in occupied territory, 1899, IIa, *52*; 1907, IVa, *52*..... 125

**Military occupation.** See **Occupied territory.**

**Mines, submarine, automatic contact**
convention relative to laying, 1907, VIII (see also the marginal notes)..... 151
denunciation, method of, 1907, *11*..... 154
duration, 1907, *11*..... 154
reservation by Dominican Republic ..... 156
by France ..... 156
by Germany ..... 156
by Great Britain ..... 156
by Siam ..... 156
by Turkey ..... 156
signatory, ratifying and adhering powers..... 155
time of taking effect, 1907, *10*..... 153
torpedoes, rule of convention respecting, 1907, *1*..... 151
bombardment of places protected solely by, 1907, IX, *1*..... 157

Page
life of anchored and unanchored mines, 1907, VIII, *1, 3, 6*.....151, 152
commercial shipping, 1907, VIII, *2*..... 151
notification of danger zone, 1907, VIII, *3, 4*..... 152
perfected mines, adoption, 1907, VIII, *6*..... 152
neutral obligations, 1907, VIII, *4*..... 152
removal, 1907, VIII, *5*..... 152
question to be reopened, 1907, VIII, *12*..... 154

**Monroe Doctrine**
reservations of United States to, 1899, I, and 1907, I.....84, 87

**Montenegro**
delegates to first and second conferences ..... 16
ratifications and dates thereof..... 231
reservation to 1907 Convention IV.....132, 250

**Monuments, historic**
destruction, etc., of, forbidden, 1899, IIa, *56*; 1907, IVa, *56*..... 127
protection to be given during bombardment, 1907, IVa, *27*..... 118
visible signs to mark, 1907, IVa, *27*..... 118

**Municipalities**
property of, treated as private property, 1899, IIa, *56*; 1907, IVa, *56*..... 127

**Munitions of war**
convoys of, in neutral territory, 1907, V, *2*..... 133
duty of neutral power, 1907, V, *7*; 1907, XIII, *6, 7*.....134, 210, 211
rule as to seizure of, 1899, IIa, *53*; 1907, IVa, *53*..... 126

**Naval guns and rifles**
*vœu* concerning, 1899 f..... 29

**Naval war**
convention concerning the rights and duties of neutral powers in, 1907, XIII..... 209
convention relative to certain restrictions with regard to the exercise of right of capture in, 1907, XI ..... 182
conventions for the adaptation of the principles of the Geneva Convention to, 1899, III; 1907, X ..... 163
*vœu* concerning private property in, 1899 f..... 29
*vœu* concerning laws and customs in, 1907 f..... 29

**Netherlands**
delegates to first and second conferences..... 17
ratifications and dates thereof.....231, 238, 239
signatory of 1910 additional protocol..... 208

**Neutral persons**
acts forfeiting rights as neutral, 1907, V, *17*..... 136
acts not forfeiting rights as neutrals, 1907, V, *18*..... 136
nationals of neutral states considered as, 1907, V, *16*..... 136
furnishing supplies or loans to belligerents, 1907, V, *18*..... 136
owning railway material requisitioned by belligerent, 1899, IIa, *54*; 1907, V, *19*...126, 137
services in police or civil administration of belligerent state, 1907, V, *18*..... 136
status when crew of enemy merchantman, 1907, XI, *5*..... 183

**Neutral ports and waters**
belligerent war-ships, number allowed in, 1907, XIII, *15*..... 212
can not increase armament, crew, or war material in, 1907, XIII, *18*..... 213

Page
may on account of damage or stress of weather, remain longer than 24 hours, 1907, XIII, *14*..... 212
may, under certain conditions, take fuel, 1907, XIII, *19*..... 213
must take only sufficient supplies to bring them to peace standard, 1907, XIII, *19*... 213
twenty-four-hour rule of stay, 1907, XIII, *12*..... 211
twenty-four-hour rule of departure, 1907, XIII, *16*..... 212
can not be used as base of naval operations, 1907, XIII, *5*..... 210
pending decision of prize court prize may be brought into, 1907, XIII, *23*..... 214
prize, if not under 1907, XIII, *21*, must be released when brought into, 1907, XIII, *22*... 214
prize must be liberated and prize crew interned if captured in, 1907, XIII, *3*..... 210
under certain conditions prize may be brought into, 1907, XIII, *21*..... 213
war-ship of belligerent can not coal twice within three months in port of same neutral, 1907, XIII, *20* ..... 213

**Neutral powers.** See also under **Internment; Prisoners of war; Sick and Wounded.**
in general
if aware of war, can not plead lack of formal notice, 1907, III, *2*..... 96
laying submarine mines must observe same rules as belligerents, 1907, VIII, *4*.... 152
war must be notified to, 1907, III, *2*..... 96
their nationals are neutrals, 1907, V, *16*..... 136
rights and duties; *vœu* concerning, 1899, f..... 29
in naval war. See also **Neutral ports and waters.**
their sovereign rights must be respected by belligerents, 1907, XIII, *1*..... 210
can not supply ammunition, war material of any kind to belligerents, 1907, XIII, *6*.. 210
may allow belligerent war-ships to use neutral pilots, 1907, XIII, *11*..... 211
may forbid belligerent who has violated laws regarding neutral ports from entering neutral waters, 1907, XIII, *9*..... 211
may use such means as they deem best to enforce laws of neutrality, 1907, XIII, *25*.. 214
must not allow belligerent war-ships to remain in neutral harbor more than 24 hours, 1907, XIII, *12*..... 211
must notify belligerent war-ship to leave within 24 hours, 1907, XIII, *13*..... 212
must prevent belligerent war-ship from making more than necessary repairs in neutral harbor, 1907, XIII, *17*..... 213
must prevent fitting out or departure of vessel to aid belligerent, 1907, XIII, *8*..... 211
must treat belligerents impartially, 1907, XIII, *9*..... 211
not bound to prevent export or transport of things useful to army or fleet, 1907, XIII, *7* ..... 211
using rights secured to them by 1907, XIII, are not committing unfriendly acts, 1907, XIII, *26*..... 215
in war on land. See also **Neutral territory.**
convention respecting the rights and duties of, 1907, V..... 133
can resist by force attempts to violate neutrality, and this is not hostile act, 1907, V, *10* ..... 135
may use belligerent railway material to certain extent, 1907, V, *19*..... 137
must treat belligerents impartially, 1907, V, *9*; 1907, XIII, *9*.....134, 211
need not forbid use of telegraph or telephone cables, public or private, to belligerent, 1907, V, *8*..... 134
need not prevent export and transport of arms, etc., which might aid belligerent, 1907, V, *7*..... 134
not responsible if persons cross the frontier singly to go into belligerent army, 1907, V, *6*..... 134
receiving troops of belligerent must intern them, 1899, IIa, *57*; 1907, V, *11*.....127, 135
retention of belligerent's railway material, 1907, V, *19*..... 137
compensation therefor, 1907, V, *19*..... 137

**Neutral territory**
inviolable, 1907, V, *1*..... 133
cables and telegraphs; use of by belligerents, 1907, V, *3, 5, 8, 9*.....133, 134

Page
violations of neutrality on; prevention and punishment, 1907, V, *5*..... 134
munitions of war or troops can not be moved across, 1907, V, *2*, *5*.....133, 134
prize court can not be set up in neutral waters or on, 1907, XIII, *4*..... 210
troops can not be formed or recruited on, 1907, V, *4*, *5*..... 134

**News**
appliances for, rule as to seizure of, 1907, IVa, *53*..... 126

**Newspaper correspondents**
status of, 1899, IIa, *13*; 1907, IVa, *13*..... 112

**Nicaragua**
adhesions and dates thereof..... ....231, 238, 239
delegates to second conference..... 16
reservation to 1907 Convention II .....94, 247

**Non-combatants**
as part of armed forces, 1899, IIa, *3*; 1907, IVa, *3*..... 108
as prisoners of war, 1899, IIa, *3*; 1907, IVa, *3*..... 108

**Norway.** See also **Sweden and Norway.**
delegates to second conference ..... 17
ratifications and dates thereof.....231, 238, 239
signatory of 1910 additional protocol..... 208

**Occupied territory**
administration, 1899, IIa, *42*, *43*; 1907, IVa, *42*, *43*.....122, 123
allegiance of inhabitants, 1899, IIa, *45*; 1907, IVa, *45*..... 123
assessment of taxes by occupant, 1899, IIa, *48*, *49*, *51*; 1907, IVa, *48*, *49*, *51*..... 124
authority over, vested in whom, 1899, IIa, *43*; 1907, IVa, *43*..... 123
contributions and requisitions, 1899, IIa, *49*, *51*, *52*; 1907, IVa, *49*, *51*, *52*.....124, 125
crimes committed in, jurisdiction over, 1899, IIa, *43*; 1907, IVa, *43*..... 123
family honor and rights to be respected, 1899, IIa, *46*; 1907, IVa, *46*..... 123
forests, use of, 1899, IIa, *55*; 1907, IVa, *55*..... 126
guides, impressment of, 1899, IIa, *24*, *44*; 1907, IVa, *23*, *24*, *44*(m).....117, 123
inhabitants can not be forced to give information of own army, etc., 1899, IIa, *44*; 1907, IVa, *44*(m) ..... 123
may not be compelled to swear allegiance to occupant, 1899, IIa, *45*; 1907, IVa, *45*.. 123
rights and duties of, 1899, IIa, *23*, *45*, *46*; 1907, IVa, *23*, *45*, *46*.....116, 123
services which may be demanded of, 1899, IIa, *52*; 1907, IVa, *52*..... 125
laws in force to be respected, etc., 1899, IIa, *43*; 1907, IVa, *43*..... 123
means of transportation, public and private, seizure, etc., 1899, IIa *53*; 1907, IVa, *53*.. 125
military government, 1899, IIa, *43*; 1907, IVa, *43*..... 123
military necessity, destruction, etc., of state property, 1899, IIa, *23*; 1907, IVa, *23*... 116
military occupation, defined, 1899, IIa, *42*; 1907, IVa, *42*..... 122
newspapers, censorship over, 1907, IVa, *53*(m)..... 125
oath of allegiance may not be required of inhabitants, 1899, IIa, *45*; 1907, IVa, *45*... 123
occupant, obligation to defray expenses of administration, 1899, IIa, *48*; 1907, IVa, *48*.. 124
obligations of, 1899, IIa, *43*; 1907, IVa, *43*..... 123
officials, salaries of, how paid, 1899, IIa, *48*; 1907, IVa, *48*..... 124
penalty inflicted on population on account of acts of individuals, 1899, IIa, *50*; 1907, IVa, *50* ..... 124
pillage prohibited, 1899, IIa, *47*; 1907, IVa, *47*..... 123
postal service, regulation of, 1899; IIa, *53*; 1907, IVa, *53*..... 125
press correspondence, censorship, 1907, IVa, *53*(m)..... 125
property, private; not confiscable, 1899, IIa, *46*; 1907, IVa, *46*..... 123
transportation and news appliances, and war material, 1899, IIa, *53*, *54*; 1907, IVa, *53*(m), *54*(n).....125, 126

Page
property, state, destruction, etc., of, 1899, IIa, *23*, *55*; 1907, IVa, *23*, *55*.....116, 126
susceptible military use, seizure, etc., 1899, IIa, *53*; 1907, IVa, *53*..... 125
railway and telegraphic material, 1899, IIa, *53*; 1907, IVa, *53*..... 126
real property, limitations on control, 1899, IIa, *55*; 1907, IVa, *55*..... 126
religious practices, etc., to be respected, 1899, IIa, *46*; 1907, IVa, *46*..... 123
requisitions, 1899, IIa, *52*; 1907, IVa, *52*..... 125
sovereignty of, 1899, IIa, *43*; 1907, IVa, *43*..... 123
submarine cables, 1907, IVa, *53*(m), *54*(n)..... 126
taxes, dues, and tolls; assessment, collection and disbursement, 1899, IIa, *48*, *49*, *51*; 1907, IVa, *48*, *49*, *51*..... 124
imposed for benefit of the state; collection, and disbursement, 1899, IIa, *48*; 1907, IVa, *48* ..... 124

**Officers**
of militia and volunteer corps, 1899, IIa, *1*; 1907, IVa, *1*..... 107
as prisoners of war
statement of rank, if questioned, 1899, IIa, *9*; 1907, IVa, *9*..... 110
pay, 1899, IIa, *17*; 1907, IVa, *17*(m)..... 114
parole, 1899, IIa, *11*; 1907, IVa, *11*..... 111
parole when interned in neutral territory, 1907, V, *11*..... 135
of captured enemy merchant ship
when nationals of neutral state, 1907, XI, *5*..... 184
when nationals of enemy state, 1907, XI, *6*..... 185

**Opening of hostilities.** See also under **Merchant ships, enemy.**
convention relative to, 1907, III..... 96
ratifications and adhesions ..... 98
denunciation, method of, *7*..... 98
notice to enemy, 1907, III, *1*..... 96
notice to neutral powers, 1907, III, *2*..... 96

**Pacific settlement of international disputes.** See also **Arbitration; Mediation.**
convention for, 1899, I; 1907, I, texts..... 41
ratifications, adhesions and reservations ..... 81
conditions of adhesion, 1899, I, *60*; 1907, I, *94*..... 79
denunciation, method of, 1899, I, *61*; 1907, I, *96*..... 80

**Panama**
adhesions and dates thereof..... 231
delegate to second conference..... 17
ratifications and dates thereof.....238, 239
signatory of 1910 additional protocol..... 208

**Paraguay**
adhesions and dates thereof..... 232
delegate to second conference..... 17
signatory of 1910 additional protocol..... 208

**Parlementaire**
abusing privileges, 1899, IIa, *33*; 1907, IVa, *33*..... 120
accompanied by whom, 1899, IIa, *32*; 1907, IVa, *32*..... 119
commander not in all cases obliged to receive, 1899, IIa, *33*; 1907, IVa, *33*..... 120
definition, 1899, IIa, *32*; 1907, IVa, *32*..... 119
detention for cause, 1899, IIa, *33*; 1907, IVa, *33*..... 120
loss of inviolability, 1899, IIa, *34*; 1907, IVa, *34*..... 120
rights and privileges, 1899, IIa, *32*; 1907, IVa, *32*..... 119
treason provoked or committed by, 1899, IIa, *34*; 1907, IVa, *34*..... 120

**Parole** Page
breach; penalty, 1899, IIa, *12*; 1907, IVa, *12*..... 111
duty of government of paroled prisoner of war, 1899, IIa, *10*; 1907, IVa, *10*..... 111
officers interned by neutrals, 1899, IIa, *57*; 1907, V, *11*; 1907, XIII, *24*.....127, 135, 214
prisoner can not be compelled to accept, 1899, IIa, *11*; 1907, IVa, *11*..... 111
not entitled to parole, 1899, IIa, *11*; 1907, IVa, *11*..... 111

**Passage**
through neutral territory of goods and persons, 1907, V, *14*..... 135
through neutral waters by belligerent vessels, 1907, XIII, *10*..... 211

**Penalty**
for violations of laws of war by state, 1907, IV, *3*..... 103
for individual acts of inhabitants, 1899, IIa, *50*; 1907, IVa, *50*..... 124
unjustifiable adoption of naval or military marks, 1907, X, *21*(n)..... 173

**Permanent administrative council.** See **Administrative council.**

**Permanent arbitration court.** See **Arbitration, permanent court.**

**Persia**
delegates to first and second conferences..... 19
ratifications and dates thereof..... 232
reservations to 1907 Convention X.....181, 256
to 1907 Convention XII .....208, 256
1907 Convention XIII .....218, 258
signatory of 1910 additional protocol..... 208

**Peru**
adhesions and dates thereof..... 232
delegates to second conference..... 19
reservation to 1907 Convention II.....95, 248
signatory of 1910 additional protocol..... 208

**Pillage**
laws to be enacted to prevent, 1907, X, *21*(n)..... 173
prohibition, 1899, IIa, *47*; 1907, IVa, *47*..... 123
even when place is taken by storm, 1899, IIa, *28*; 1907, IVa, *28*; 1907, IX, *7*....118, 159
protection of wounded, sick, shipwrecked, and dead against, 1907, X, *16*(n)..... 171

**Pilots, neutral**
employment by belligerents permitted, 1907, XIII, *11*..... 211

**Plenipotentiaries to the Hague Conferences**
index of names..... 260

**Poison or poisoned arms**
prohibition, 1899, IIa, *23*; 1907, IVa, *23*..... 116

**Portugal**
adhesion and date thereof..... 232
delegates to first and second conferences..... 19
ratifications and dates thereof.....238, 239
signatory of 1910 additional protocol..... 208

**Postal correspondence**
must be forwarded as soon as possible if ship is detained, 1907, XI, *1*..... 182
on neutral or enemy ship is inviolable unless intended for blockaded port in violation of blockade, 1907, XI, *1*..... 182

**Prestation.** See **Angary.** Page

**Prisoners of war.** See also **Information bureau regarding prisoners of war; Internment; Parole.**
in naval war
belligerents shall inform each other of changes in dead and wounded, 1907, X, *17*(n) 171
crew of enemy merchant ship, when nationals of neutral state, are not made, 1907, XI, *5* ..... 183
crew, nationals of enemy state, if they agree not to aid in war, are not made, 1907, XI, *6* ..... 184
medical staff of captured ship are not, 1899, III, *7*; 1907, X, *10*..... 169
officers, nationals of neutral state, if they promise not to serve on enemy vessel, are not made, 1907, XI, *5*..... 183
religious staff of captured ship are not, 1899, III, *7*; 1907, X, *10*..... 169
sick and wounded in hands of enemy are, 1899, III, *9*; 1907, X, *14*..... 170
in war on land
board, lodging, and clothing, 1899, IIa, *5, 7*; 1907, IVa, *5, 7*; 1907, V, *12*...108, 109, 135
burial; regard to grade and rank, 1899, IIa, *19*; 1907, IVa, *19*..... 115
civilians, 1899, IIa, *13*; 1907, IVa, *13*..... 112
confinement, when authorized, 1899, IIa, *5*; 1907, IVa, *5*(m)..... 108
where authorized, 1899, IIa, *5*; 1907, IVa, *5*..... 108
death certificates, 1899, IIa, *19*; 1907, IVa, *19*..... 115
entitled to what, 1899, IIa, *7*; 1907, IVa, *7*..... 109
escaping into neutral territory, 1907, V, *13*..... 135
impost duties on gifts, 1899, IIa, *16*; 1907, IVa, *16*..... 114
insubordination, how dealt with, 1899, IIa, *8*; 1907, IVa, *8*..... 110
labor; settlement of conditions, 1899, IIa, *6*; 1907, IVa, *6*(m)..... 109
for public service, 1899, IIa, *6*; 1907, IVa, *6*..... 109
for private service, 1899, IIa, *6*; 1907, IVa, *6*..... 109
wages; disposition, 1899, IIa, *6*; 1907, IVa, *6*..... 109
laws, regulations, and orders to which subject, 1899, IIa, *8*; 1907, IVa, *8*..... 110
maintenance, who is charged with, 1899, IIa, *7*; 1907, IVa, *7*; 1907, V, *12*.....109, 135
military jurisdiction over, 1899, IIa, *4*; 1907, IVa, *4*..... 108
name and rank, must state, when, 1899, IIa, *9*; 1907, IVa, *9*..... 110
newspaper reporters, 1899, IIa, *13*; 1907, IVa, *13*..... 112
non-combatants as, 1899, IIa, *3*; 1907, IVa, *3*..... 108
officers' pay, 1899, IIa, *17*; 1907, *17*(n)..... 114
postage free, 1899, IIa, *16*; 1907, IVa, *16*..... 114
property; disposition, 1899, IIa, *4*; 1907, IVa, *4*..... 108
questions which must be answered truthfully, 1899, IIa, *9*; 1907, IVa, *9*..... 110
recaptured after successful escape, 1899, IIa, *8*; 1907, IVa, *8*..... 110
relief societies, 1899, IIa, *15*; 1907, IVa, *15*..... 113
religious freedom, 1899, IIa, *18*; 1907, IVa, *18*..... 114
repatriation, 1899, IIa, *20*; 1907, IVa, *20*..... 115
return or card for, 1899, IIa, *14*; 1907, IVa, *14*..... 112
sick and wounded, 1899, IIa, *21*; 1907, IVa, *21*; 1907, V, *14, 15*.....115, 135, 136
subject to military jurisdiction, 1899, IIa, *4, 8*; 1907, IVa, *4, 8*.....108, 110
taken into neutral territory, 1907, V, *13*..... 135
treatment, humane, 1899, IIa, *4*; 1907, IVa, *4*..... 108
who can claim status of, 1899, II, *13*; 1907, IVa, *13*..... 112
treated as, 1899, IIa, *3*; 1907, IVa, *3*..... 108
wills, 1899, IIa, *19*; 1907, IVa, *19*..... 115
wounded and sick, 1899, IIa, *21*; 1907, IVa, *21*; 1907, V, *13, 14, 15*.....115, 135, 136

**Prize.** See also **International prize court.**
brought into neutral port, 1907, XIII, *21, 22*.....213, 214
captured in neutral waters must be liberated, 1907, XIII, *3*..... 210

**Prize Court** Page
international. See **International prize court; Additional protocol.**
national
in neutral territory or waters, 1907, XIII, *4*..... 210
when decision as to nullity or validity of capture may not be brought before international court ..... 206
basis of appeal to international prize court from, 1907, XII, *3*..... 189
can deal in only two instances with case, 1907, XII, *6*..... 190
decision and record of case are sent from international prize court to, 1907, XII, *45* (amended by additional protocol, Article 7).....199, 207
local law determines method of appeal to international prize court from, 1907, XII, *6* ..... 190

**Procedure, arbitration.** See **Arbitration procedure.**

**Property**
enemy's appropriation of, 1899, IIa, *23, 53, 54*; 1907, IVa, *23, 53, 54*.....116, 125, 126
destruction of, etc., 1899, IIa, *23*; 1907, IVa, *23*..... 116
military necessity affecting, 1899, IIa, *23, 53, 54*; 1907, IVa, *23, 53, 54*...116, 125, 126
enemy's, state, real, held by occupant, rule governing, 1899, IIa, *55*; 1907, IVa, *55*.... 126
occupant, acts as administrator, 1899, IIa, *55*; 1907, IVa, *55*..... 126
municipal, 1899, IIa, *56*; 1907, IVa, *56*..... 127
munitions of war, 1899, IVa, *53*; 1907, IVa, *53*..... 125
of prisoners of war, 1899, IIa, *4*; 1907, IVa, *4*..... 108
of hospital staff on captured vessel, 1899, III, *7*; 1907, X, *10*..... 169
private; classes susceptible direct military use, 1899, IIa, *53, 54*; 1907, IVa, *53, 54*..125, 126
confiscation, 1899, IIa, *46, 47, 56*; 1907, IVa, *46, 47, 56*.....123, 127
must be respected, 1899, IIa, *46*; 1907, IVa, *46*..... 123
pillage forbidden, 1899, IIa, *28, 47*; 1907, IVa, *28, 47*.....118, 123
seizure, 1899, IIa, *23 g, 53, 54*; 1907, IVa, *23 g, 53, 54*.....116, 125,126
susceptible of direct military use, 1899, IIa, *53*; 1907, IVa, *53*..... 125
public, movable; military use, 1899, IIa, *53*; 197, IVa, *53*..... 125
religious, charitable, educational, art and scientific institutions, 1899, IIa, *56*; 1907, IVa, *56* ..... 127
requisitions, 1899, IIa, *52*; 1907, IVa, *52*..... 125
state, real, 1899, IIa, *55*; 1907, IVa, *55*..... 126
usable for transmission of news, 1899, IIa, *53, 54*; 1907, IVa, *53, 54*.....125, 126
transportation of persons and things, 1899, IIa, *53*; 1907, IVa, *53*..... 125

**Quarter**
can not be refused, 1899, IIa, *23*; 1907, IVa, *23*..... 116

**Railway material**
enemy; conditions of requisition, 1899, IIa, *53*; 1907, IVa, *53*(m)..... 126
from neutral states in occupied territory, 1899, IIa, *54*; 1907, V, *19*..... 126, 137

**Ratifications**
to 1899 Conventions and Declarations.....230–232
to 1907 Conventions and Declaration.....236–239

**Receipt**
shall be given for contribution, 1899, IIa, *51*; 1907, IVa, *51*..... 125
supplies, 1899, IIa, *52*; 1907, IVa, *52*; 1907, IX, *3*.....125, 158

**Recommendation**
Third peace conference, 1907, f..... 29

**Recruiting**
in neutral territory by belligerents prohibited, 1907, V, *4*..... 134

**Red cross.** See also **Flag.**
brassard, misuse forbidden, 1899, IIa, *23*; 1907, IVa, *23*..... 116
reservation of Persia respecting ..... 181
of Turkey ..... 181

**Relief societies** Page
for prisoners of war, 1899, IIa, *15*; 1907, IVa, *15* ..... 113
and hospital ships, 1899, III, *2*, *3*; 1907, X, *2*, *3*(m) ..... 164, 165

**Religion**
buildings devoted to, destruction of, 1899, IIa, *56*; 1907, IVa, *56* ..... 127
protection to be given to, 1899, IIa, *27*; 1907, IVa, *27*; 1907, IX, *5* ..... 118, 158
signs to indicate, 1907, IX, *5*; 1899, IIa, *27*; 1907, IVa, *27* ..... 158, 118
exercise of, by prisoners of war, 1899, IIa, *18*; 1907, IVa, *18* ..... 114
military occupant must respect, 1899, IIa, *46*; 1907, IVa, *46* ..... 123
religious staff on captured vessel is inviolable, 1899, III, *7*; 1907, X, *10* ..... 169
may take private property with them, 1899, III, *7*; 1907, X, *10* ..... 169
salaries, 1899, III, *7*; 1907, X, *10*(m) ..... 169
vessels with religious mission, exempt from capture, 1907, XI, *4* ..... 183
and the 24-hour rule, 1907, XIII, *14* ..... 212

**Repairs.** See under **War-ships, belligerent.**

**Repatriation**
of prisoners of war, 1899, IIa, *20*; 1907, IVa, *20* ..... 115

**Reporters**
rights as prisoners of war, 1899, IIa, *13*; 1907, IVa, *13* ..... 112

**Reprisals.** See under **Penalty.**

**Requisition**
of enemy merchant ship on high seas and ignorant of war, 1907, VI, *3* ..... 142
of enemy merchant ship unable to leave enemy port within time limit, 1907, VI, *2* ... 141
should be authenticated by receipts, 1899, IIa, *52*; 1907, IVa, *52* ..... 125
should be for the necessities only of the army, 1899, IIa, *52*; 197, IVa, *52*; 1907, IX, *3* ..... 125, 158
should be in proportion to resources of the country, 1899, IIa, *52*; 1907, IVa, *52*; 1907, IX, *3* ..... 125, 158
should be paid for in cash if receipt is not given, 1899, IIa, *52*; 1907, IVa, *52*; 1907, IX, *3* ..... 125, 158
should be under authority of commanding officer, 1899, IIa, *52*; 1907, IVa, *52* ..... 125
town may be bombarded for refusal of, 1907, IX, *3* ..... 158

**Reservations**
to 1899 Conventions
Germany, to Convention III ..... 178
Great Britain, to Convention III ..... 179
Roumania, to Convention I ..... 82
Serbia, to Convention I ..... 83
Turkey, to Conventions I and III ..... 83, 179
United States, to Conventions I and III ..... 84, 179
to 1907 Conventions
Argentine Republic, to Conventions II and V ..... 92, 140
Austria-Hungary, to Convention IV ..... 131
Bolivia, to Convention II ..... 93
Brazil, to Convention I ..... 85
Chile, to Conventions I, IX, and XII ..... 86, 162, 208
China, to Conventions X and XIII ..... 180, 218
Colombia, to Convention II ..... 93
Cuba, to Convention XII ..... 208
Dominican Republic, to Conventions II, VIII, and XIII ..... 93, 156, 218
Ecuador, to Conventions II and XII ..... 93, 208
France, to Conventions VIII and IX ..... 156, 162

Page
Germany, to Conventions, IV, VI, VIII, IX, and XIII.....132, 145, 156, 162, 218
Great Britain, to Conventions V, VIII, IX, X, and XIII.....140, 156, 162, 181, 218
Greece, to Conventions I and II.....86, 94
Guatemala, to Conventions II and XII.....94, 208
Haiti, to Convention XII..... 208
Japan, to Conventions I, IV, IX, and XIII.....86, 132, 162, 218
Montenegro, to Convention IV..... 132
Nicaragua, to Convention II..... 94
Persia, to Conventions X, XII, and XIII.....181, 208, 218
Peru, to Convention II..... 95
Roumania, to Convention I..... 86
Russia, to Conventions IV and VI .....132, 145
Salvador, to Conventions II and XII .....95, 208
Siam, to Conventions VIII, XII and XIII.....156, 208, 218
Switzerland, to Convention I and Final Act .....40, 86
Turkey, to Conventions I, IV, VII, VIII, X, XII, and XIII,
86, 132, 150, 156, 181, 208, 218
United States, to Conventions I, II and XIII.....87, 95, 219
Uruguay, to Conventions II and XII.....95, 208

**Resolutions**
limitation of military expenditure, 1899, f; 1907, f..... 28

**Roumania**
delegates to first and second conferences ..... 20
ratifications and dates thereof.....232, 238, 239
reservation to 1899 Convention I.....82, 233
to 1907 Convention I .....86, 240, 241

**Ruses of war**
allowed, 1899, IIa, *24*; 1907, IVa, *24*..... 117

**Russia**
delegates to first and second conferences..... 20
ratifications and dates thereof..... .....232, 238, 239
reservation to 1907 Convention IV.....132, 250, 251
to 1907 Convention VI.....145, 252, 253

**Salvador**
adhesions and dates thereof..... 232
delegates to second conference..... 21
ratifications and dates thereof.....238, 239
reservation to 1907 Convention II.....95, 248, 249
to 1907 Convention XII.....208, 256
signatory of 1910 additional protocol..... 208

**Sanitary formations and establishments.** See also **Geneva Convention; Hospital ships.**
convoys of evacuation in neutral territory, 1907, V, *14*..... 135
medical personnel, captured, pay and allowances of, 1899, IIa, *17*, *18*; 1907, IVa, *17*, *18* ..... 114

**Scientific purposes**
establishments treated as private property, property of, 1899, IIa, *56*; 1907, IVa, *56*... 127
should be designated and protected during bombardment, 1899, IIa, *27*; 1907, IVa, *27*; 1907, IX, *5*.....118, 158
vessels exempt from capture, 1907, XI, *4*..... 183
exempt from twenty-four-hour rule, 1907, XIII, *14*..... 212

**Search.** See **Visit and search.** Page

**Serbia**
delegates to first and second conferences ..... 22
ratifications and dates thereof ..... 232
reservation to 1899 Convention I ..... 82, 233

**Shipwrecked.** See under **Sick and wounded in naval warfare.**

**Siam**
delegates to first and second conferences ..... 22
ratifications and dates thereof ..... 232, 238, 239
reservation to 1907 Convention VIII ..... 156, 254, 255
to 1907 Convention XII ..... 208, 256
1907 Convention XIII ..... 218, 258, 259
signatory of 1910 additional protocol ..... 208

**Sick and wounded**
in land warfare
brought through neutral territory, 1899, IIa, *59*; 1907, V, *14* ..... 128, 135
collected in buildings, protection to be given during bombardment, 1899, IIa, *27*; 1907, IVa, *27* ..... 118
Geneva Convention covers, 1899, IIa, *21*; 1907, IVa, *21* ..... 115
interned in neutral territory, Geneva Convention applies to, 1899, IIa, *60*; 1907, V, *15* ..... 129, 136
in naval warfare
belligerents may appeal to neutral merchant ships and yachts to take, 1907, X, *9*(n) 168
belligerents may demand that hospital ships, private yachts, etc., hand over, 1907, X, *12*(n) ..... 170
belligerents shall send to each other description of, 1907, X, *17*(n) ..... 171
neutral state shall be reimbursed for expenses of caring for, 1907, X, *15*(n) ..... 171
powers will enact criminal legislation to prevent pillage of, 1907, X, *21*(n) ..... 173
landed at neutral port must be prevented from taking part in hostilities again, 1907, X, *15*(n) ..... 171
neutral merchant ships committing no violation of neutrality, will not be captured for saving, 1899, III, *6*; 1907, X, *9*(n) ..... 168
of one belligerent are prisoners of war in hands of other, 1899, III, *9*; 1907, X, *14*. 170
of whatever nationality shall be cared for, 1899, III, *8*; 1907, X, *11* ..... 169
prisoners of war, disposal of, 1899, III, *9*; 1907, X, *14* ..... 170
shipwrecked, belligerents after engagement see to examination of dead, take care of and prevent ill-treatment of, 1907, X, *16*(n) ..... 171
taken on board neutral war-ship must not take part in war again, 1907, X, *13*(n) ..... 170

**Sick wards**
are not protected if used for injuring the enemy, 1907, X, *8*(n) ..... 168
may be used for other purposes if necessity requires, and sick and wounded are cared for, 1907, X, *7*(n) ..... 167
on board shall be protected in fight, 1907, X, *7*(n) ..... 168

**Signatory Powers**
to 1899 Conventions and Declarations ..... 230–232
to 1907 Conventions and Declaration ..... 236–239
to 1910 additional protocol ..... 237, 239

**Spain**
adhesion and date thereof ..... 238, 239
delegates to first and second conferences ..... 10
ratifications and dates thereof ..... 232, 238, 239
signatory of 1910 additional protocol ..... 208

**Special mediation.** See **Mediation and good offices.** Page

**Spy**
defined, 1899, IIa, *29*; 1907, IVa, *29*..... 118
immunity from punishment on subsequent capture, 1899, IIa, *31*; 1907, IVa, *31*..... 119
must be tried before punishment, 1899, IIa, *30*; 1907, IVa, *30*..... 119
soldier not wearing disguise in enemy zone is not a, IIa, *29*; 1907, IVa, *29*..... 118

**Submarine mines.** See **Mines.**

**Supplies**
furnished belligerents by neutrals, 1907, V, *18*..... 136
shipment of, from neutral territory, rule governing, 1907, V, *7*..... 134

**Supplies and loans**
when not unneutral, 1907, V, *18*..... 136

**Surrender**
of sick and wounded by hospital ships, 1907, X, *12*(n)..... 170
wounding or killing after, 1899, IIa, *23*; 1907, IVa, *23*..... 116

**Sutlers**
entitled to treatment given prisoners of war, 1899, IIa, *13*; 1907, IVa, *13*..... 112

**Sweden.** See also **Sweden and Norway.**
delegates to second conference..... 23
ratifications and dates thereof.....232, 238, 239
signatory of 1910 additional protocol..... 208

**Sweden and Norway.** See also **Norway; Sweden.**
delegates to first conference..... 23
ratifications and dates thereof.....231, 232

**Switzerland**
adhesion and date thereof..... 232
delegates to first and second conferences..... 23
ratifications and dates thereof.....232, 238, 239
reservation to 1907 Convention I.....86, 240, 241
to 1907 Final Act.....40, 258
signatory of 1910 additional protocol..... 208

**Taxes**
collection in territory occupied by belligerent, 1899, IIa, *48*; 1907, IVa, *48*..... 124

**Telegraphs and telephones.** See also **Cables.**
in neutral territory, 1907, V, *8*..... 134
in occupied territory, 1899, IIa, *53*; 1907, IVa, *53*..... 125

**Theater of war**
armistice settles what communications may be held with inhabitants, 1899, IIa, *39*; 1907, IVa, *39* ..... 121

**Third Peace Conference**
recommendation of 1907 as to date, 1907 f..... 29
as to preparatory committee, 1907 f..... 30
program, 1907 f ..... 30
organization and procedure, 1907 f..... 30

**Three-months rule**
respecting fuel supplies in neutral ports, 1907, XIII, *20*..... 213

**Torpedoes** Page
kinds forbidden, 1907, VIII, *1*..... 151

**Transportation**
appliances of communication and, 1899, IIa, *53, 54*; 1907, IVa, *53*; 1907, V, *19*..125, 126, 137

**Treachery**
as a means of injuring the enemy, 1899, IIa, *23 b*; 1907, IVa, *28 b*..... 116

**Treason**
provoked or committed by parlementaire, 1899, IIa, *34*; 1907, IVa, *34*..... 120

**Truce, flag of.** See also **Parlementaire.**
misuse forbidden, 1899, IIa, *23*; 1907, IVa, *28*..... 116

**Turkey**
delegates to first and second conferences..... 24
ratifications and dates thereof..... 232
reservation to 1899 Convention I.....83, 234
to 1899 Convention III.....179, 234
1907 Convention I .....86, 240
1907 Convention IV .....132, 250
1907 Convention VII .....150, 252
1907 Convention VIII .....156, 254
1907 Convention X .....181, 254, 255
1907 Convention XII .....208, 256
1907 Convention XIII .....218, 258
signatory of 1910 additional protocol..... 208

**Twenty-four-hour rule**
military hospital ships not on same footing as war-ships, 1899, III, *1*; 1907, X, *1*..... 164
respecting belligerent war-ships in neutral ports, 1907, XIII, *12, 13, 14, 16*.....211, 212
war-ships devoted to religious, etc., purposes exempt, 1907, XIII, *15*..... 212

**Undefended place**
bombardment prohibited, 1899, IIa, *25*; 1907, IVa, *25*; 1907, IX, *1*.....117, 157
effect of protection by automatic submarine mines, 1907, IX, *1*..... 157
naval bombardments to secure requisitions, 1907, IX, *3*..... 158
for money contributions forbidden, 1907, IX, *4*..... 158

**Unfriendly act**
neutral power using rights secured to it by 1907, XIII, is not committing, 1907, XIII, *26* ..... 215
offer of mediation on the part of third powers is not an, 1899, I, *3*; 1907, I, *3*(m)... 43
reminding disputants of existence of arbitration court, is not an, 1899, I, *27*; 1907, I, *48* ..... 61

**Uniforms**
of enemy; improper use forbidden, 1899, IIa, *23 f*; 1907, IVa, *23 f*..... 116
of prisoners of war, 1899, IIa, *4*; 1907, IVa, *4*..... 108

**United States**
adhesion and date thereof .....238, 239
delegates to first and second conferences..... 2
ratifications and dates thereof .....232, 238, 239
reservation to 1899 Convention I.....84, 234
to 1899 Convention III .....179, 234
1907 Convention I .....87, 242, 243
1907 Convention II .....95, 249

Page
1907 Convention XIII ..... 219, 259
signatory of 1910 additional protocol ..... 208

**Uruguay**
adhesions and dates thereof ..... 232
delegates to second conference ..... 24
reservations to 1907 Convention II ..... 95, 248
to 1907 Convention XII ..... 208, 256
signatory of 1910 additional protocol ..... 208

**Venezuela**
adhesions and dates thereof ..... 232
delegate to second conference ..... 24

**Vessels**
seizure of public and private, in occupied territory, 1899, IIa, *53*; 1907, IVa, *53*(m) .. 125

**Visit and search**
in neutral waters, 1907, XIII, *2* ..... 210
of neutral mail ships, 1907, XI, *2* ..... 183

**Voeux**
revision of Geneva Convention, 1899, f ..... 28
rights and duties of neutrals, 1899, f ..... 29
types and calibers of guns, 1899, f ..... 29
limitation of armed forces and war budgets, 1899, f ..... 29
private property in naval war, 1899, f ..... 29
naval bombardment of ports, etc., 1899, f ..... 30
judicial arbitration court, 1907, f ..... 28, 31
maintenance of relations between belligerent and neutral countries, 1907, f ..... 29
military charges on resident aliens, 1907, f ..... 29
laws and customs of naval war, 1907, f ..... 29

**Volunteer aid societies.** See **Relief societies.**

**Volunteer corps**
status, 1899, IIa, *1*; 1907, IVa, *1* ..... 107

**War**
not interrupted by mediation, 1899, I, *7*; 1907, I, *7* ..... 44

**War crimes.** See under **Forbidden acts.**

**War on land.** See also **Belligerents; Prisoners of war; Geneva Convention; Means of injuring the enemy; Bombardment; Spy; Parlementaire; Capitulation; Armistice; Occupied territory.**
laws and customs, conventions, 1899, II; 1907, IV (see marginal notes) ..... 100
signatory, ratifying and adhering Powers ..... 129–131
reservations made ..... 131, 132

**War on sea.** See **Naval war.**

**War-ships, belligerent**
in neutral ports. See also under **Internment.**
domestic law governing to be notified to Powers, 1907, XIII, *27* ..... 215
increasing armament, crews, or war material, 1907, XIII, *18* ..... 213
number present at one time, 1907, XIII, *15* ..... 212
order of departure, 1907, XIII, *16* ..... 212

Page
quantity of provisions permitted, 1907, XIII, *19*..... 213
repairs, 1907, XIII, *17* ..... 213
taking on fuel, 1907, XIII, *19*..... 213
three-months rule, 1907, XIII, *20*..... 213
twenty-four-hour interval rule as to departure of hostile vessels, 1907, XIII, *16*... 212
twenty-four-hour stay rule, 1907, XIII, *12, 13*.....211, 212
exceptions: damage or stress of weather, 1907, XIII, *14*..... 212
religious, scientific and philanthropic missions, 1907, XIII, *14*..... 212
conversion of merchantmen into; convention 1907, VII..... 146

**Wills**
of prisoners of war, 1899, IIa, *19*; 1907, IVa, *19*..... 115

**Wireless telegraphs**
seizure, etc., rules as to, 1899, IIa, *53*; 1907, IVa, *53*..... 125

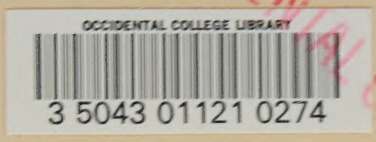
**Wounded.** See **Sick and wounded.**

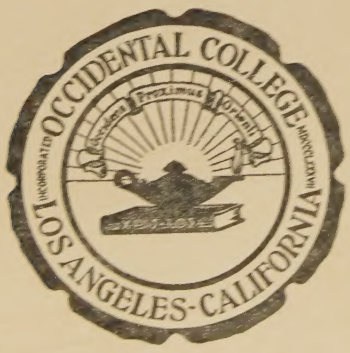
**Yachts**
belligerents may appeal to them to take sick and wounded, 1907, X, *9*(n)..... 168
taking on wounded or sick can not be captured therefor, 1899, III, *6*; 1907, X, *9*..... 168
wounded and sick on board must be handed over to demanding belligerent, 1907, X, *12*(n) ..... 170

**Zone, danger**
notification by belligerent to mariners through diplomatic channel, 1907, VIII, *3* (*re* mines) ..... 152

DATE DUE
Demco, Inc. 38-293

WITHDRAWN OCCIDENTAL COLLEGE LIBRARY




Book No. 341.1 H147is c.3